United Nations A/C.3/67/SR.45

General Assembly
Sixty-seventh session

Official Records

Distr.: General
30 January 2013

Original: English

Third Committee

Summary record of the 45th meeting
Held at Headquarters, New York, on Tuesday, 27 November 2012, at 10 a.m.

Chair: Mr. Mac-Donald ..... (Suriname)

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The meeting was called to order at 10.20 a.m.

Agenda item 69: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/67/L.50-L.52*)

1. **Ms. Astiasarán Arias** (Cuba), speaking on behalf of the Non-Aligned Movement, said that the members of the Movement continued to strongly oppose the selectivity, double standards and politicization reflected in country-specific draft resolutions. Such resolutions, which tended to target developing States, exploited human rights for political purposes and breached the principles of universality and objectivity in addressing human rights issues.

2. The Human Rights Council had an important role to play as the United Nations organ responsible for the consideration of human rights situations in all countries within the framework of the universal periodic review. The universal periodic review must be an action-oriented, cooperative mechanism based on objective and reliable information; moreover, it must involve an interactive dialogue with the countries under review, to be conducted in a transparent, non-selective, non-confrontational and non-politicized manner.

3. The draft resolutions submitted under the current item targeted members of the Non-Aligned Movement on the basis of purely political motivations; as such, they served only to increase the politicization of human rights issues and negatively affected the credibility of the Human Rights Council as the competent body to assess the human rights situations in all countries, independently of their level of development and political positions. She therefore urged all delegations not to adopt any of the country-specific draft resolutions.

Draft resolution A/C.3/67/L.50: Situation of human rights in the Democratic People's Republic of Korea

4. **The Chair** said that the draft resolution had no programme budget implications.

5. **Mr. Makriyiannis** (Cyprus) said that Chile and Nauru had joined the sponsors. Despite annual General Assembly resolutions on the situation of human rights in the Democratic People's Republic of Korea since 2005, grave, widespread and systematic violations of human rights still prevailed, as underscored by several United Nations reports. No substantive changes had yet come about on the ground and there were serious concerns regarding reports of torture. Regrettably, the Democratic People's Republic of Korea had as yet refused to cooperate with the Special Rapporteur. It was important to speak out on behalf of the victims by adopting the draft resolution; failure to do so would send the political signal that the situation had improved, which was not the case.

6. **Mr. Gustafik** (Secretary of the Committee) said that Turkey was not a sponsor of the draft resolution.

7. **Mr. Kim** Song (Democratic People's Republic of Korea) said that no human rights violations of the sort described in the draft resolution had occurred in his country. It was political propaganda by the United States of America and its followers, aimed at stoking confrontation and undermining his country's goals. Seeking to intervene in the internal affairs of the Democratic People's Republic of Korea and impose another system of government on its people constituted an act of State political terrorism.

8. Previous draft resolutions targeting his country had also consisted of lies. The United States continued to use aid to bring pressure to bear on small developing countries; there was thus a total lack of justice or impartiality in the adoption of such draft resolutions. Similarly, the Governments of the European Union and Japan merely bowed to the political positions of the United States. The draft resolution adopted at the previous session had blocked all cooperation between the Democratic People's Republic of Korea and other countries. His country unequivocally rejected the draft resolution — a position which would not change in the future.

9. **Ms. Li** Xiaomei (China) said that her country believed that differences in the human rights arena should be addressed through dialogue and cooperation. Intervening in other countries' internal affairs ran counter to the Charter of the United Nations and would only impede international cooperation in the area of human rights. In recent years, the Democratic People's Republic of Korea had made unremitting efforts to improve the livelihood of its people. The international community should adopt an objective, pragmatic approach and provide humanitarian assistance to help

the country with the economic and social development challenges it faced.

10. **Ms. Astiasarán Arias** (Cuba) said that her Government maintained a traditional position against country-specific resolutions which sought to selectively accuse countries of the South on the basis of clear political motivations without any relationship to the real defence of human rights. Such harmful practices had been responsible for discrediting the former Commission on Human Rights and had led to its disappearance. The Human Rights Council with its universal periodic review mechanism was the proper forum for the examination of human rights. Her delegation's opposition to the draft resolution did not, however, imply a value judgment on the unresolved questions referred to in paragraph 2, which required a just solution involving all concerned parties. Only genuine international cooperation based on the principles of impartiality, objectivity and non-selectivity could ensure the promotion and effective protection of human rights.

11. **Mr. Nishida** (Japan) said his country believed that concerns regarding the promotion and protection of human rights should generally be addressed through dialogue and cooperation. However, there were grave concerns with regard to the human rights situation in the Democratic People's Republic of Korea which should be addressed through the adoption of draft resolution A/C.3/67/L.50.

12. The universal periodic review was a valuable opportunity for all countries to review their respective human rights situations and to accept the Council's recommendations. The Democratic People's Republic of Korea had joined the process in December 2009 but had not yet accepted any of the 167 recommendations that had been made. It had likewise refused to engage in any dialogue and constructive cooperation with regard to the special procedures mandated by the Human Rights Council. The abduction issue remained outstanding, with 12 of the 17 Japanese nationals identified by his Government as having been abducted by the Democratic People's Republic of Korea not yet returned. He urged all delegations to adopt the draft resolution and hoped that the Democratic People's Republic of Korea would accept its recommendations.

13. **Mr. Lukiyantsev** (Russian Federation) said that said that his country had repeatedly opposed the ongoing practice of selective and unilateral country-specific draft resolutions being submitted to United Nations human rights bodies for consideration. Such working methods had not provided for resolution of human rights concerns in past years.

14. While the international community could be called on to render technical assistance in the area of human rights, the primary responsibility for promoting and protecting those rights lay with States themselves. The establishment of the Human Rights Council and the successful functioning of the universal periodic review provided new opportunities for a constructive and mutually respectful dialogue in the area of human rights. The consideration of human rights situations in individual countries should therefore take place within the framework of the Council's review process. That position was applicable to all country-specific draft resolutions considered by the Committee at the current session.

15. **Ms. Smaila** (Nigeria) said that the international community should engage in a constructive dialogue with the Democratic People's Republic of Korea on the basis of mutual sovereignty and territorial integrity. Selectivity had no place in the consideration of human rights issues, especially where country-specific situations were concerned. Her delegation expressed appreciation for the efforts of the Democratic People's Republic of Korea to cooperate with United Nations agencies. Abduction-related issues were best resolved at the bilateral level. In that connection, she called on the Democratic People's Republic of Korea, on humanitarian, not political, grounds, to provide information to families with missing relatives and to cooperate fully with the Human Rights Council. Countries within the same region should further develop their cooperation with the Democratic People's Republic of Korea in the interest of good neighbourliness.

16. **Ms. Solórzano-Arriagada** (Nicaragua) said that her delegation continued to reject, on principle, the submission of country-specific draft resolutions on human rights. The Human Rights Council was the appropriate body to address such issues, specifically through the universal periodic review mechanism, in which all countries were examined on an equal footing.

17. **Mr. Ja'afari** (Syrian Arab Republic) said that his delegation regretted that some States insisted on introducing draft resolutions dealing with the human rights situations in specific countries for political

reasons. The practice threatened the credibility of political and legal reference points in the framework of international relations and undermined international consensus on the machinery dealing with human rights.

18. His delegation wished to reaffirm its opposition in principle to such initiatives based on the Syrian Arab Republic's refusal to invoke human rights issues selectively in order to interfere in the internal affairs of Member States on humanitarian and legal pretexts. Doing so contradicted the Charter of the United Nations, which affirmed the principle of the sovereign equality of all Member States. Good neighbourliness and the peaceful settlement of disputes were not advanced through the adoption of country-specific resolutions. Human rights issues should be dealt with in the appropriate forum, namely the Human Rights Council, which reviewed questions of human rights in all Member States and not in specific States.

19. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her delegation opposed the politically motivated submission of country-specific resolutions on human rights issues without due respect for the principle of sovereign equality. The Human Rights Council, through the universal periodic review, was a valuable tool for the impartial, objective and non-selective examination of human rights situations in all countries. Her delegation supported the pursuit of constructive dialogue between concerned parties without resorting to country-specific resolutions, which merely reflected a policy of double standards on the part of certain powers.

20. **Mr. Khazaee** (Islamic Republic of Iran) said that his delegation rejected the continued practice of introducing country-specific draft resolutions, which were selective and politically motivated. The universal periodic review was the main intergovernmental mechanism mandated to review human rights issues at the international level for all countries, without distinction. His delegation did not support the current draft resolution.

21. *Draft resolution A/C.3/67/L.50 was adopted.*

22. **Mr. Kim** Song (Democratic People's Republic of Korea) said that constructive dialogue and confrontation were incompatible and his delegation did not accept the draft resolution, which had nothing to do with promoting human rights. Western Governments were turning a blind eye to human rights concerns in their own countries by collectively targeting the Democratic People's Republic of Korea.

23. The representative of Japan had spoken impassively about the human rights situation in his country whereas Japan itself persisted in refusing to recognize or offer reparation for all kinds of crimes that it had committed in the Democratic People's Republic of Korea, including the forced conscription of more than 8.4 million young Koreans and the forced sexual slavery of 200,000 Korean women for the Japanese army of aggression.

24. **Mr. Rishchynski** (Canada) said that his delegation was deeply concerned about the systematic, widespread and grave violations of human rights by the rogue regime in the Democratic People's Republic of Korea. His Government was disturbed by the lack of basic human rights in that country, including a total disregard for freedom of religion and expression; the severe living conditions in detention centres and prison camps; and the cruel and despicable treatment of prisoners, including the use of torture, rape, forced abortions and public executions.

25. Respect for human rights was a cornerstone of democratic society and essential for the protection of human dignity and fundamental freedoms. The passing of totalitarian leader Kim Jong-Il had presented an opportunity for the regime to emerge from six decades of self-inflicted misery and isolation. Unfortunately, no positive change had been observed as yet. He called on the Government of the Democratic People's Republic of Korea to close its concentration camps and to abide by its human rights obligations. The regime had tried forcibly to stop its population from finding a better life. However, like all people in the world, the citizens of the Democratic People's Republic of Korea were entitled to basic rights; it was hoped that they would one day enjoy those human rights. Until then, Canada would to express its abhorrence of the dire violations occurring in that country.

26. **Mr. Kommasith** (Lao People's Democratic Republic) said that the promotion and protection of human rights were legitimate interests of the international community as enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights. At the same time, differences in the human rights arena should be addressed on the basis of mutual respect, taking into account individual environments and religious backgrounds. The

application of double standards should be avoided. The fact that his delegation had joined the consensus should not be understood as support for country-specific resolutions, which were politically motivated and as such did not help to resolve human rights situations.

27. **Mr. Oh** (Singapore) said that his delegation disagreed with the adoption of country-specific draft resolutions as a matter of principle. However, that position should not be interpreted as condoning the mistreatment of citizens in any country. He called on all countries to respect human rights and fundamental freedoms.

28. **Mr. de Séllos** (Brazil) said that his delegation welcomed the references in the draft resolution to cooperation between the Democratic People's Republic of Korea and United Nations agencies. He encouraged that country to engage in close dialogue with the Organization to assess its needs in terms of international cooperation and also encouraged the international community to support the citizens of the Democratic People's Republic of Korea by providing additional capacity-building assistance to that country. Recalling the humanitarian aid his Government had already provided, he reiterated Brazil's willingness to share its experience in agricultural production and in the development of programmes and policies on the right to adequate food. The struggle against hunger and poverty should be a goal for all countries, regardless of political differences.

29. **Ms. Li** Xiaomei (China), expressing support for the statement made by the representative of the Democratic People's Republic of Korea, said that her delegation wished to dissociate itself from the consensus on the draft resolution.

30. **Mr. Fiallo** (Ecuador) said that while his delegation had joined the consensus, it did not support country-specific draft resolutions, which rather than improving human rights situations, most often resulted in damaging relations between the international community and the targeted country. The universal periodic review was the appropriate mechanism to address human rights violations in all countries.

31. **Ms. Sabja** (Plurinational State of Bolivia) said that her delegation did not support country-specific resolutions, which were selective and politically motivated and as such had been used to discredit the former Human Rights Commission. Only an impartial, non-selective dialogue could help address human rights concerns effectively: the universal periodic review was the appropriate mechanism for such dialogue.

32. **Mr. Amorós Núñez** (Cuba) and **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that their respective delegations wished to dissociate themselves from the consensus on the draft resolution for the reasons their delegations had previously stated.

33. **Mr. Kim** Song (Democratic People's Republic of Korea) said that his delegation rejected the statement made by the representative of Canada, including the insulting and groundless allegations against the regime of Kim Jong-Il. He urged the Government of Canada to renounce its hostile stance against the Democratic People's Republic of Korea.

Draft resolution A/C.3/67/L.51: Situation of human rights in the Islamic Republic of Iran

34. **The Chair** said that the draft resolution had no programme budget implications.

35. **Mr. Rishchynski** (Canada), speaking as the main sponsor of the draft resolution, said that the decision to put forward a draft resolution on the Islamic Republic of Iran had not been taken lightly. The human rights situation on the ground had seen no improvement since the Committee had discussed the issue the previous year. The Iranian Government's persistent disregard for human rights and the egregious nature of its violations warranted the continued attention of the General Assembly. It had, moreover, not permitted the Special Rapporteur to make a visit and carry out his mandate.

36. The sponsors had made an effort accurately and objectively to reflect in the text the developments over the past year. As the only body responsible for international human rights issues within the General Assembly, the Committee had an obligation to hold the Government accountable for the very serious human rights violations and to provide a voice for the Iranian people.

37. **Mr. Rivas** (Uruguay) said that while his delegation was concerned about the human rights situation in the Islamic Republic of Iran, it also had noted the progress made by the Iranian Government in fostering a better environment for the respect of human rights through the strengthening of dialogue with the international community. His delegation would abstain from voting on the draft resolution; he nonetheless

urged Iran to engage fully with the international community and to facilitate access for the special procedures mandate holders.

38. **Mr. Zhumabayev** (Kazakhstan), speaking on behalf of the Organisation of Islamic Cooperation (OIC), said that OIC was opposed to the use of country-specific resolutions, which tended to selectively targeted developing and Islamic countries. OIC Member States were opposed to any initiative that could lead to the use of human rights as a means of exerting political pressure on developing countries. The submission of country-specific draft resolutions did not contribute to improvement of human rights situations but rather made change more difficult. The draft resolution currently under consideration contradicted the spirit of cooperation. Moreover, the situation in the Islamic Republic of Iran did not warrant such a resolution. OIC regretted that the draft resolution had been submitted despite the evidence of the Islamic Republic of Iran's cooperation with human rights mechanisms and the positive developments in the country. He urged all Member States to oppose the measure.

39. **Mr. Ri** Tong Il (Democratic People's Republic of Korea) said that his delegation opposed the draft resolution, which was politically motivated and violated the principles of impartiality and selectivity. Changes in national human rights situations could not be imposed by the international community and country-specific resolutions only undermined trust between nations and resulted in politicization of United Nations human rights mechanisms. Human rights concerns should be addressed through an objective constructive dialogue.

40. **Mr. Khazaee** (Islamic Republic of Iran) said that the Iranian people did not need Canada or any other country to voice its opinion; it had been expressing its opinion for 33 years, despite the hostility of Canada and other Western nations. Canada should examine its own human rights situation, in particular, its record on the treatment of minority groups, before making accusations against other countries.

41. He expressed appreciation for the statements made by the representatives of Cuba, as Coordinator of the Working Group on Human Rights of the Non-Aligned Movement, and Kazakhstan, as Chair of the OIC Council of Foreign Ministers.

42. The draft resolution under consideration — a clear attempt by the Canadian Government to abuse human rights mechanisms in order to advance its own political interests — undermined the potential of the United Nations to promote human rights and created further politicization of those issues within the Organization. The draft resolution contained numerous unsubstantiated allegations and in no way reflected the actual human rights situation on the ground. It moreover did not take account of the internal mechanisms designed to protect and promote human rights and overly focused on the rights of just one minority in Iran, which in fact boasted a diverse society.

43. The United Nations human rights special procedures mandate holders assigned to specific countries were particularly vulnerable to manipulation and politicization. Selective country-specific resolutions reduced noble human rights concerns to manipulative political devices. The international community had taken great pains to establish the universal periodic review to ensure respect for the principles of universality, objectivity, non-selectivity and impartiality in the work of the United Nations human rights machinery. Ideally, that mechanism should make it possible to monitor the human rights situations in all countries, without distinction. To cooperate fully with the new mechanism, the Iranian Government had sent a high-level delegation to participate in the Human Rights Council Working Group on the universal periodic review to present Iran's national report.

44. His delegation could not accept the draft resolution, not least because it gave a redundant mandate to the Secretary-General to compile a report in parallel with that of the so-called Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. Despite opposition to such duplication, the Government of Iran had expressed its readiness to provide all necessary information for the preparation of impartial, non-political, accurate and well-documented reports. The reports of the Secretary-General were an important mechanism, provided they were professional and not politicized. Yet the Secretary-General's report on the situation of human rights in the Islamic Republic of Iran (A/67/327) overlooked his country's many achievements and positive developments in the area of human rights; suffered from partiality and lack of balance; and had

adopted a selective approach to the information provided. By repeating unfounded, illogical and unrealistic allegations and resorting to biased sources, the report had suffered a great loss of credibility.

45. Various reports by United Nations special procedures mandate holders provided evidence that Canada and other main sponsors of the draft resolution were implicated in serious human rights violations; ironically, none had come under scrutiny through country-specific resolutions. Certainly, none could deny the steady increase in importance of Islamophobia in the West, which had led to grave violations of the basic rights of Muslims. Specifically, the Special Rapporteur on violence against women had reported gross violations of the rights of women, particularly black women, in United States prisons and the United States army. The killing of innocent Afghan women and children in United States drone strikes also continued on a daily basis, as did the appalling conditions endured by detainees held in United States military custody. The Government of Canada, for its part, exhibited racist behaviour towards minority, especially indigenous, groups living in its territory. Lastly, the silence of so-called champions of human rights before the recent brutal attacks by Israel on innocent Palestinian civilians in the Gaza Strip had illustrated their hypocrisy all too well.

46. The best approach in promoting and protecting human rights throughout the world was to engage in meaningful and sincere cooperation. It was regrettable that the draft resolution targeting the Islamic Republic of Iran had been prepared solely for political purposes and thus lacked credibility so far as improving any human rights situation was concerned. In view of those considerations, he requested a recorded vote on draft resolution A/C.3/67/SR.51 and urged all delegations to vote against it and thus preserve the dignity and credibility of the United Nations human rights machinery.

Statements in explanation of vote before the voting

47. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her country remained firmly opposed to the practice of individually and selectively condemning certain Member States, utilizing their human rights situations as a pretext. Draft resolutions on human rights had become a tool for promoting specific political interests and for intensifying a game of strategic confrontation that was undesirable, incoherent and illegitimate. The sponsors had themselves committed human rights violations, but no resolutions had been drafted against them. The only body competent to hear such matters was the Human Rights Council, whose universal periodic review mechanism guaranteed an impartial and objective review of human rights without singling out developing nations or any other country that stood in the way of the interests of powerful, imperialist countries. Dialogue, mutual respect and transparent, disinterested international cooperation based on full respect for the principles enshrined in the Charter were essential for the promotion and protection of human rights. Venezuela would therefore vote against the draft resolution.

48. **Mr. Amoros Núñez** (Cuba) said that Cuba wished to reiterate its principled opposition to country-specific resolutions that essentially targeted developing countries and had nothing to do with protecting or advancing human rights. Such tactics had discredited the earlier Human Rights Commission and had led to its dissolution. The establishment of the Human Rights Council, especially its universal periodic review mechanism, offered a means for examining the human rights situation in all countries equally, on the basis of genuine, fruitful dialogue. International cooperation based on objectivity, impartiality and non-selectivity remained the only path for the effective protection of human rights. The draft resolution represented the opposite, and Cuba would therefore vote against it.

49. **Mr. Ja'afari** (Syrian Arab Republic) said that his country rejected the interference of any State in the affairs of other States on the pretext of defending human rights. The concept of human rights should be addressed via a consensual approach based on the principle of sovereign equality among States, which had been established when the United Nations was founded and was clearly enshrined in its Charter. Some Member States were evidently unhappy with the Charter and had decided to set new politically-motivated goals that deviated from the Charter and international conventions. His delegation believed that understanding and objective, responsible dialogue based on mutual respect for national sovereignty, territorial integrity, non-selectivity and transparency were the correct way to bring the views of Member States into closer alignment and to protect human rights, as well as to guarantee that everyone enjoyed fundamental freedom and liberty while respecting

national legislation and paying due attention to national, regional, cultural and religious differences.

50. The insistence on drafting politically-motivated human rights resolutions threatened the credibility of international political and legal frameworks and undermined the international consensus on the methods for addressing human rights. More importantly, it weakened the consensus on the importance of the universal periodic review. Human rights were of the utmost importance to his country and nothing was more harmful to their sanctity than politicizing them and using them as a ploy, which created a double standard within the international community. His delegation would therefore vote against the draft resolution.

51. **Mr. Fiallo** (Ecuador) said that his country wholly supported the work of the Human Rights Council, the body empowered to address and examine the situation of human rights, in particular through its universal periodic review, which was the appropriate mechanism for advancing human rights and which upheld the principles of universality, impartiality, objectivity, equality among States, and non-selectivity. Ecuador firmly rejected the continued harassment of specific countries, which had been used in the past to justify foreign invasions and which served only to worsen the human rights situations. For all those reasons, Ecuador would vote against the draft resolution.

52. **Ms. Belskaya** (Belarus) said that the draft resolution was one of a number of politically motivated mechanisms that could not enhance dialogue with the countries concerned. Her country categorically rejected such approaches, which undermined the foundations of the United Nations frameworks for the defence of human rights. Belarus wished to note that Iran had adopted the overwhelming majority of recommendations made as part of its 2010 universal periodic review. It also wished to note the lack of a convincing reaction by United Nations human rights mechanisms in the face of coercive measures undertaken by various countries against the people of Iran, which constituted a form of extraterritorial violation of human rights and deserved the most serious condemnation. Since there had not been a single example that would have affirmed the effectiveness of instruments such as the draft resolution before the Committee, her country would vote against it and would maintain that position in the future.

53. **Ms. Sabja** (Plurinational State of Bolivia) said that her country firmly supported the principles of non-interference and respect for sovereignty and would therefore vote against the draft resolution, which politicized the protection of human rights and ran counter to the principles of the United Nations Charter. The Human Rights Council was the appropriate body to address human rights situations through a process of dialogue and constructive examination.

54. *At the request of the representative of Iran, a recorded vote was taken on draft resolution A/C.3/67/L.51.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Against:

Afghanistan, Armenia, Bangladesh, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Eritrea, India, Iran (Islamic Republic of), Kazakhstan, Kuwait, Lebanon, Nicaragua, Oman, Pakistan, Qatar, Russian Federation, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Niger, Nigeria, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Sierra Leone, Singapore, South Africa, South Sudan, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Yemen, Zambia.

55. *Draft resolution A/C.3/67/L.51 was adopted by 83 votes to 31, with 68 abstentions.*

Statements in explanation of vote after the voting

56. **Mr. Ruru** (Indonesia) said that his delegation fully supported the efforts of international community to protect and promote human rights in all countries. However, those efforts should be based on mutual respect and genuine international dialogue and cooperation. The universal periodic review provided a mechanism for examining the human rights situation in all Member States on an equal basis and should be maximized to eliminate selectivity, double standards and politicization. Indonesia supported efforts to advance the human rights situation in Iran, but wished to voice its concern at the absence of any reference to negotiations in the current draft resolution, which created a lack of engagement between its sponsors and the country in question, limiting the opportunity for improving the human rights situation in that country. His country had therefore abstained.

57. **Mr. de Séllos** (Brazil) said that his country's abstention did not represent indifference to the issue. International concern about the situation of human rights and fundamental freedoms in Iran was certainly legitimate, but the draft resolution did not reflect in substance or approach the report of either the Special Rapporteur or the Secretary-General. It included certain challenges not mentioned in either report and omitted aspects deemed positive in both. Among the positive aspects were Iran's participation in dialogue with treaty bodies such as the Committee on the Elimination of Racial Discrimination and the Human Rights Council, its participation in the universal periodic review in 2010, the improvement in its human development indicators and its adoption of favourable measures towards Afghan refugees through temporary residence permits for those with proper documentation. Moreover, the draft resolution did not mention the effects of unilateral sanctions on Iran's socioeconomic situation, as described in the Secretary-General's report.

58. A more objective and balanced approach would give draft resolutions on specific human rights situations greater legitimacy. Brazil encouraged Iran to engage in more constructive dialogue with United Nations bodies, as well as with the Special Rapporteur, and to use the Human Rights Council and other United Nations agencies to strengthen its commitment and capacities in human rights. The situation of human rights defenders, lawyers, union leaders, political dissidents and the lesbian, bisexual and gay community in Iran was also of concern. Brazil maintained its position on the renewal of the mandate of the Special Rapporteur, to be considered in March 2013. It offered its views in a spirit of constructive dialogue and would do the same with respect to any other country.

59. **Mr. Duale** (Somalia) said that the draft resolution was flawed and unacceptable to his Government for the reasons given by the chair of the Organization of Islamic Cooperation and others. Had his delegation been present, it would have voted against it.

60. **Ms. Li** Xiaomei (China) said that China had voted against the draft resolution based on its consistent opposition to country-specific resolutions on human rights. No country had a perfect human rights record, including those that proposed human rights resolutions.

61. As a developing country, Iran had dedicated itself to protecting the human rights and fundamental freedoms of its people. Instead of resorting to country-specific resolutions as a means for applying pressure, the international community should provide Iran with practical and constructive help.

62. **Mr. Nishida** (Japan) said that Japan had voted in favour of the draft resolution, on the grounds that many human rights issues in Iran still required improvement, including restrictions on freedom of peaceful assembly

and association, freedom of opinion and expression, cruel punishment and the execution of minors. On the other hand, the Government of Japan had held its eighth bilateral human rights dialogue with Iran in September 2012. Japan took the fact that Iran had agreed to continue talks as a positive sign; in addition, Iran seemed to have positively engaged with United Nations human rights treaty bodies. Japan encouraged Iran to implement the 123 recommendations it had accepted during the universal periodic review in 2010. Japan had therefore supported the resolution without becoming a sponsor and would continue to work constructively with Iran to achieve improvements in its human rights situation. His country expected Iran to continue its dialogue with the international community and to cooperate with the Office of the High Commissioner on Human Rights and the Special Rapporteur.

63. **Mr. Labo** (Niger) said that his country's foreign policy opposed country-specific measures and actions that targeted individual States. Moreover, there could be no absolute definitions of good or bad with respect to the human rights situation in a given country; all such labels were relative.

Draft resolution A/C.3/67/L.52: Situation of human rights in the Syrian Arab Republic

64. **The Chair** said that the draft resolution had no programme budget implications.

65. **Mr. Laram** (Qatar), introducing draft resolution A/C.3/67/L.52, said that Mauritania, Portugal, Liechtenstein and Vanuatu had joined the sponsors.

66. The serious violation of the human rights of the Syrian people, including their right to life, freedom of expression and self-determination, required a firm response from the General Assembly commensurate with the Syrian Government's flagrant crimes against its own people. Tens of thousands of innocent people, most of them women and children, had lost their lives. In view of the deteriorating humanitarian situation and the danger to neighbouring countries, whose citizens had already taken in thousands of Syrian refugees, it was also important to bear in mind the regional implications, including the threat to regional peace and security. That situation was compounded by crimes involving children and crimes against humanity, as recalled in statements by the Secretary-General, the Office of the High Commissioner for Human Rights and human rights organizations.

67. The draft resolution had drawn on wording from relevant resolutions on the human rights situation in the Syrian Arab Republic that had been adopted by the General Assembly, the Security Council and the Human Rights Council, relying on the purposes and principles of the United Nations Charter and the main human rights instruments, and with due respect for Syria's sovereignty, independence, territorial integrity and unity, and taking into account resolutions adopted by the League of Arab States and the Organization of Islamic Cooperation.

68. Human rights violations deserved to be condemned regardless of their source, but violations by the opposition could not be compared to the systematic massacres committed daily by a Government that claimed to be legitimate and whose structure controlled State services and possessed a huge military arsenal.

69. Adoption of the draft resolution would send a message to the brave Syrian people who had been suffering for 20 months. It would also express the indignation of the international community and its determination to find a solution that would guarantee the fundamental right of the Syrian people to the rule of law and equality and to see those who had committed such heinous crimes against them brought to justice.

70. **Mr. Ja'afari** (Syrian Arab Republic) said that some delegations were using the Third Committee to advance their own political goals in violation of the Charter and international humanitarian law, distracting the Committee from its true humanitarian objectives and setting a regrettable precedent with respect to the role of the international community in protecting and promoting human rights. That situation was all the more regrettable because three members of the Arab League had joined the sponsors of the draft resolution and were being used by the West to interfere in Syrian internal affairs. It was clear to anyone, however, that the Arab States had become the tool of interventionist Western policies that threatened the possibility of common Arab action.

71. Even worse, those Arab States had presented their draft resolution against Syria on the very same day that Israeli planes were bombing Gaza. Qatar was one of the countries that, by sponsoring the draft resolution, had given invaluable support to Israeli aggression. It

was clear that the League of Arab States had become a tool to divide the Gulf. What remained of the League was prepared to offer its services to any party that sought to harm Arab countries. Despite its oil, it was politically, ethically and financially bankrupt. The Secretary-General of the League had even addressed a message of gratitude to the European Commission, thanking it for offering to finance crisis cells within the League.

72. His delegation wished to know why all those merchants and couriers of human rights, whether Arab or not, had shown no enthusiasm whatsoever for the Arab Spring in Palestine. Apparently their courage had failed them when it came to Israel. The representative of Morocco had said earlier that the three main sponsors — Qatar, Saudi Arabia and Morocco — hoped for a Syrian society based on the principles of equality, justice, non-discrimination, democracy and the rule of law. Syria agreed; in fact, the Syrian people hoped to create a Syrian democracy that met Syrian needs — not a bloodthirsty *salafist*, Wahhabist or *takfirist* democracy based on religion or petrodollars and imposed by foreigners through armed violence that turned whole segments of society against each other. The Syrian people needed a society free from foreign meddling by countries like Qatar and Saudi Arabia, which paid lip service to human rights but whose Governments lacked a parliament and stifled their own opposition.

73. Just a day earlier, the *mufti* of Saudi Arabia, who functioned as that country's general prosecutor, had issued a fatwa holding that anyone who criticized the country's leaders on websites and satellite channels would be considered an infidel, which paved the way for the murder of dissidents in Qatar and Saudi Arabia. Neither country was party to the International Covenant on Civil and Political Rights; his own country had acceded in 1969, before Qatar had won independence from the United Kingdom and before the Covenant had entered into force. That comparison was important for understanding the true motives behind the sponsorship of the draft resolution against his country. Their draft resolution justified the murderous actions of terrorist armed groups against Syria and downplayed their crimes. Yet surely the murders, amputations, decapitations, expulsion of citizens on the basis of religion and decimation of entire families were violations that should be condemned. Perhaps the sponsors had in mind some kind of legitimate terrorism against the Syrian people, especially women, children and the elderly, whose murders were financed and protected by Qatar, Saudi Arabia, Libya, Turkey, France and Great Britain. Some countries, namely Saudi Arabia, Turkey and Qatar, were an integral part of the problem and were sponsors of the violence and religious discord. It was shameful that some countries of the Arab League and the Organization of Islamic Cooperation had imposed inhuman economic, political and social sanctions that threatened the human rights of Syrians in violation of the principled position of the League of Arab States and the Organization of Islamic Cooperation, which had condemned those measures and refused to submit draft resolutions on the human rights situations in individual countries.

74. It was also shameful that many wealthy member nations of those two organizations were offering no assistance to the Syrian people while giving hundreds of millions of dollars to terrorist mercenaries and Al Qaeda, who were shedding innocent blood in Syria and destroying infrastructure, and that they were urging the Security Council to condemn the situation in Mali while financing those same groups to conduct terrorist activities in Syria. His delegation saluted the countries that refused to go along with such a flagrant political lie.

75. Countries like Qatar should leave Syria alone and not claim to feel sympathy for its children when their feelings were murderous. Nor should they spend their petrodollars to help terrorists, agents of destruction and criminals. If they really cared about the wellbeing of the Syrian people they should lift their sanctions, end their media wars, stop their sectarian incitement and obscurantist aggression and cease exploiting the great, tolerant religion of Islam and distorting it with Wahhabist or *salafist* thinking.

76. The draft resolution blamed the Syrian Government for everything that happened without condemning the armed terrorist groups and the countries that manipulated them. The countries that prepared the draft resolution had not bothered to call for the cessation of violence or for national dialogue to resolve the crisis in accordance with the principles of the peaceful settlement of disputes, as set forth in the six-point plan, the Geneva Declaration and the mission of United Nations Special Envoy Lakhdar Brahimi. The draft resolution looked at events in Syria from a very narrow point of view. His delegation wondered if the sponsors had ever read the hundreds of

international media reports, such as the report of the chair of the Independent International Commission of Inquiry, Mr. Paulo Pinheiro, who in New York in October 2012 had noted the presence in Syria of foreign fighters from 11 countries, and not only neighbouring ones. On behalf of his Government, he had sent an official message to the Secretary-General with the names of 143 foreign terrorists, including Libyans, Tunisians, Saudis, Qataris and others, who had been killed.

77. Like all Member States, his country was experiencing a number of problems that must be solved by implementing comprehensive reform in many areas of political, economic and social life. However, in accordance with the principles of the Charter and international law, such reform should be instituted at the national level and not through political resolutions brokered by certain Member States to exploit other countries.

78. Lastly, preambular paragraph 7 of the draft resolution stated that the countries adopting the resolution were committed to the sovereignty of the Syrian Arab Republic and to its independence, unity and territorial integrity, and that they wished to express their devotion to the principles of the United Nations Charter. He wondered how that attitude could be reconciled with interference in Syria's internal affairs on the part of Qatar, Saudi Arabia and Turkey.

79. His delegation called on Member States to respect human rights, to act according to their conscience and to adhere to the facts without politicizing them or resorting to plots or threats. His Government sought to protect its sovereignty, to improve society and to make progress through serious change, and it enjoyed the support and trust of the majority of the Syrian people. His delegation called for a recorded vote on draft resolution A/C.3/67/L.52 in order to protect the dignity and credibility of the human rights mechanisms of the United Nations. He called upon all States to vote against the draft resolution and against interference in the affairs of other States.

The meeting rose at 1.05 p.m.

United Nations A/C.3/67/SR.46

General Assembly
Sixty-seventh session

Official Records

Distr.: General
29 January 2013

Original: English

Third Committee

Summary record of the 46th meeting
Held at Headquarters, New York, on Tuesday, 27 November 2012, at 3 p.m.

Chair: Mr. Mac-Donald ..... (Suriname)

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The meeting was called to order at 3.30 p.m.

Agenda item 69: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/67/L.52*)

Draft resolution A/C.3/67/L.52: Situation of human rights in the Syrian Arab Republic*

1. **The Chair** said that a recorded vote had been requested on the draft resolution.

2. **Ms. Smaila** (Nigeria) said that during the 2006 Human Rights Council review it had been clearly understood that the Council should avoid politicization, subjectivity, double standards and the "naming and shaming" of States on the pretext of promoting human rights. Since the General Assembly and the Council should be both vigilant and objective in upholding human rights, country-specific resolutions should be redemptive rather than punitive, help the victims of violations and be applied sparingly, on a case-by-case basis. They should respect national sovereignty and have terminal dates to prevent them from becoming repetitive and losing their corrective value.

3. Her delegation was concerned about the draft resolution because it held only one side in the Syrian conflict to account. A selective resolution would embolden one side and render the other intransigent. Only a lasting solution led by the Syrian people without external pressure would be effective. Her delegation called on all sides to respect the people's rights, seek a just and peaceful settlement, and work with the Joint Special Representative for Syria to that end.

4. **Ms. Hosking** (South Africa) said that her country had been erroneously recorded as a sponsor of the draft resolution and asked for the record to be corrected.

5. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela), speaking in explanation of vote before the voting, said that her delegation would vote against the draft resolution because it objected to certain countries' use of human rights to put others on trial while supporting their allies' bombardment of civilians under illegal occupation. Such behaviour reflected a double standard. The draft resolution breached the principles of respectful dialogue, international cooperation, impartiality, non-selectivity and non-politicization, and addressed a matter which should properly be considered by the Human Rights Council through the universal periodic review. Her delegation urged Member States to vote against the draft resolution and avoid the use of human rights as a political tool.

6. **Mr. Khazaee** (Islamic Republic of Iran), speaking in explanation of vote before the voting, said that the selective adoption of country-specific resolutions for political ends undermined the concept that international cooperation was the means of promoting human rights. The universal periodic review was the main intergovernmental mechanism for reviewing human rights at the national level. The General Assembly and Human Rights Council were the pillars in the field of human rights, and should not allow existing mechanisms to be abused by specific countries. His delegation would therefore vote against the draft resolution.

7. **Mr. Butt** (Pakistan) said that his delegation was concerned by the violence in Syria, which had worsened with the advent of terrorism and had assumed sectarian overtones. His delegation had always advocated a peaceful Syrian-led resolution. It supported the Joint Special Representative's efforts and encouraged the international community to do the same. The six-point proposal of former Joint Special Envoy Kofi Annan and the Final Communiqué of the June 2012 meeting of the Action Group on Syria provided a road map for a Syrian-led process, but his delegation was concerned that both sides were choosing force over dialogue. It opposed coercive measures, interference and foreign intervention.

8. The draft resolution held only one side responsible and would lead to the hardening of attitudes, and would thus not help the Joint Special Representative or the resolution of the conflict. His delegation opposed country-specific resolutions, but would have appreciated changes to the text which would have allowed it to support the draft resolution. In the absence of such changes, it would abstain from voting.

9. **Mr. Kim** Song (Democratic People's Republic of Korea), speaking in explanation of vote before the voting, said that his delegation was concerned by the draft resolution, which was not the consequence of alleged violations but an attempt by certain countries to distort the situation and put international pressure on

the Syrian Arab Republic. The sponsors' aim was to change the political system and undermine the legitimately elected Government. His delegation opposed the abuse of the Committee for political ends and would thus vote against the draft resolution.

10. *A recorded vote was taken on draft resolution A/C.3/67/L.52*.*

In favour:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, Solomon Islands, Somalia, South Sudan, Spain, Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen, Zambia.

Against:

Belarus, Bolivia (Plurinational State of), China, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Nicaragua, Russian Federation, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe.

Abstaining:

Angola, Armenia, Bhutan, Democratic Republic of the Congo, Ecuador, Eritrea, Fiji, Guyana, India, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Mali, Mozambique, Namibia, Nepal, Nigeria, Pakistan, Philippines, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Singapore, South Africa, Sri Lanka, Suriname, Swaziland, Tajikistan, Turkmenistan, Uganda, United Republic of Tanzania, Viet Nam.

11. *Draft resolution A/C.3/67/L.52* was adopted by 132 votes to 12, with 35 abstentions.*

12. **Ms. Sucuoğlu** (Turkey) said that the crisis in the Syrian Arab Republic was a threat to regional and international peace and security. Turkey shared borders, history and culture with Syria and the Government had always supported its stability, prosperity, territorial integrity and national unity. It would continue to stand by the Syrian people, who should be allowed to decide their own future.

13. **Ms. Belskaya** (Belarus) said that her delegation had always opposed country-specific resolutions and felt that the draft resolution was unbalanced. It was concerned about the continuing civilian casualties and favoured the rapid resolution of the conflict through negotiation. The draft resolution would not help in that regard, and Belarus had therefore voted against it.

14. **Ms. Furman** (Israel) said that the situation of civilians in the Syrian Arab Republic had become more desperate as winter approached. Hundreds of thousands had fled their homes because of the regime, and many were now stranded without shelter, adequate clothing or food. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimated that 3,000 people were leaving the country every day. The number of civilians murdered by the regime had now reached 40,000. Hundreds of children had been arrested, tortured and killed in prison. The daily human rights violations were a threat to peace and security in the Syrian Arab Republic and throughout the region. The Syrian representative's attempts to shift the focus of the discussion to other countries, including Israel, would not distract the world's attention from his Government's crimes.

15. **Mr. Amoros Nuñez** (Cuba) said that most of the available information regarding the situation in the Syrian Arab Republic was partial, imprecise and

manipulated. His Government opposed country-specific resolutions in principle; they were politically motivated and unrelated to human rights. Politicization had led to the disappearance of the Human Rights Commission, whereas the establishment of the Human Rights Council and its universal periodic review allowed the human rights situation of all countries to be considered equally. International cooperation was the only way to promote human rights; since the draft resolution did not further such cooperation, his delegation had voted against it.

16. **Mr. Fiallo** (Ecuador) said that his delegation was concerned by the deteriorating human rights situation in the Syrian Arab Republic and insisted that those responsible for the violence should be punished. The text did not pay sufficient attention to all those responsible, polarizing the conflict without contributing to a solution involving all Syrians, which would lead to peace and respect for Syrian sovereignty.

17. The Human Rights Council was the body responsible for addressing all human rights matters. Presenting a draft resolution to the Third Committee served only to politicize the question and did not help the victims. His delegation had therefore abstained from the vote.

18. **Mr. Wolfe** (Jamaica) said that his delegation shared the concern over the loss of life resulting from the Syrian conflict, the impact on vulnerable groups, and the growing numbers of refugees and internally displaced persons. Since the Syrian Government was primarily responsible for protecting its citizens and addressing the humanitarian crisis, his delegation had voted in favour of the resolution, but felt that, given the regional and international security implications of the civil war, it should have been brought before the Plenary of the General Assembly.

19. His delegation would have liked a paragraph to be included urging the opposition to cease hostilities in order to facilitate an inclusive Syrian-led political solution, as suggested in the six-point programme. It also had reservations about the paragraphs welcoming regional initiatives about which his delegation had no information. It did not condone calls for regime change implied in the draft resolution.

20. **Mr. Ja'afari** (Syrian Arab Republic) said that the number of delegations which had voted against the draft resolution and those which had stated that the lack of balance in the text needed to be remedied showed that many Member States were aware of the situation in the Syrian Arab Republic. Although his Government did not deny the existence of the crisis, it rejected the idea that other countries had the right to make pronouncements on human rights in the Syrian Arab Republic, rather than providing assistance. The motivation of the sponsors was political; they aimed to "name and shame" his Government while funding terrorists to conduct massacres which increased the suffering of the Syrian people and led to the displacement of refugees to neighbouring countries. Only political motivation could explain the economic sanctions imposed, their involvement in terrorism and their hosting of a conference of terrorist groups which had rejected the Joint Special Representative's peace efforts and the former Joint Special Envoy's six-point programme.

21. Certain States had taken positions as a result of political, economic or financial pressures, a poor reflection on their commitment to the Charter of the United Nations. The Syrian Arab Republic suffered from terrorism at the hands of many foreign nationals who were funded through Persian Gulf oil revenues, trained and allowed to enter Syria by Turkey, and politically supported by European countries. That approach would backfire on the sponsors and on those who trained the terrorists.

22. Although there was no sin greater than the oppression of innocent people in the name of religion, the sponsors were pushing terrorist groups to conduct massacres, loot hospitals, seize border crossing points and smuggle armed terrorists from Turkey into the Syrian Arab Republic in the name of God, under the eyes of the Turkish army. His Government was keen to maintain its special cultural relationship with the Turkish people but rejected Turkish Government intervention in Syrian affairs, which would set the entire region ablaze.

23. In response to the statement by the representative of Israel, he said that even Israeli historians had acknowledged that all leaders of the Zionist entity in Palestine had been terrorist chiefs, some of them wanted under the British Mandate. The United Nations had adopted hundreds of resolutions condemning Israeli leaders and terrorist groups. The region needed peace, not the undermining of the Palestinian people's aspirations or the occupation of the Golan Heights and southern Lebanon.

24. **Mr. de Séllos** (Brazil) said that his delegation had voted in favour of the draft resolution; he reiterated its call for an immediate end to violence in the Syrian Arab Republic. Military action would not resolve the crisis; he therefore urged all parties to comply with their human rights obligations and international law. The Syrian Government was responsible for stopping the violations, punishing the perpetrators and protecting vulnerable groups. All parties involved should resume political dialogue to end the conflict.

25. His Government had supported the efforts of the Human Rights Council and the General Assembly, but regretted the lack of results thus far. It called on the Syrian authorities to comply with the Council's resolutions and cooperate with the International Commission of Inquiry on Syria and the Joint Special Representative. More Syrian Government engagement in dialogue could lead to a more objective approach to the human rights situation. The report of the Commission of Inquiry had contained references to the negative effects of unilateral sanctions and acknowledgement that opposition armed groups had committed war crimes.

26. The international community should support all efforts to end the violence and achieve a Syrian-led solution. The transition should be inclusive, comprehensive, and mindful of ethnic and religious differences. Brazil was home to a large community of Syrian origin and therefore favoured a solution which respected the will of the Syrian people.

27. **Ms. Loew** (Switzerland) said that her delegation was very concerned by the situation in the Syrian Arab Republic and welcomed the adoption of the draft resolution with broad support. It regretted the non-inclusion of the references it had requested to the importance of respect for international humanitarian law and the need to refer the situation to the International Criminal Court, the body best placed to deal with such crimes, since the competent authorities had done nothing to pursue the perpetrators. The violence needed to end so that civilians would stop paying the price of the conflict.

28. **Mr. Sparber** (Liechtenstein) said that, as the alarming situation in the Syrian Arab Republic warranted the urgent attention of the Committee and the Security Council, his delegation had joined the sponsors. The draft resolution, however, should have referred more explicitly to the need for all parties to respect humanitarian law, in particular the Geneva Conventions, and to be held accountable for crimes. His delegation hoped that future resolutions would be based on a transparent and open-ended process.

Agenda item 27: Social development (*continued*)

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/67/L.9/Rev.1 and A/C.3/67/L.10/Rev.1)

Draft resolution A/C.3/67/L.10/Rev.1: Realizing the Millennium Development Goals and other internationally agreed development goals for persons with disabilities towards 2015 and beyond

29. **Mr. Gustafik** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that the request in paragraph 9(b) of the draft resolution would require additional resources of $50,900 in 2013 for the production of one 8,500-word document in the official languages by the Department of General Assembly and Conference Management. Since no corresponding provisions had been made in the 2012-2013 programme budget, additional requirements would arise under section 2. Every effort, however, would be made to absorb the additional cost within existing resources and to report thereon in the second performance report for 2012-2013.

30. **Ms. Hernando** (Philippines) said that Andorra, Armenia, Austria, Belgium, Bulgaria, Canada, the Comoros, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Greece, Hungary, India, Ireland, Italy, Japan, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Mexico, Mongolia, the Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, Qatar, the Republic of Korea, Romania, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay had joined the sponsors of the draft resolution.

31. The draft resolution was a contribution to the preparations for the September 2013 high-level meeting of the General Assembly on a disability-inclusive development agenda beyond 2015. It focused

on the need for comparable data and statistics to improve policy.

32. Her delegation believed that the text was balanced and represented a broad consensus. It had not anticipated the statement of programme budget implications and, having checked with the Department of Economic and Social Affairs, proposed to revise the draft resolution by inserting the words "within existing resources" at the end of paragraph 9(b).

33. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Azerbaijan, Belarus, Bolivia (Plurinational State of), Bosnia and Herzegovina, Chile, Côte d'Ivoire, the Dominican Republic, the Gambia, Georgia, Haiti, Jamaica, Kyrgyzstan, Liberia, Mali, Montenegro, Morocco, Namibia, Nicaragua, the Republic of Moldova, San Marino, Senegal, Serbia, South Sudan, Tunisia, Uganda and Ukraine had joined the sponsors.

34. *Draft resolution A/C.3/67/L.10/Rev.1, as orally revised, was adopted.*

Draft resolution A/C.3/67/L.9/Rev.1: Towards a comprehensive and integral international legal instrument to promote and protect the rights and dignity of older persons

35. **The Chair** said that the draft resolution had no programme budget implications.

36. **Mr. Escalante Hasbún** (El Salvador) said that Belize, Costa Rica, Dominica, Haiti, Panama, Senegal, South Africa, Sri Lanka, Turkmenistan and Venezuela (Bolivarian Republic of) had joined the sponsors of the draft resolution.

37. He presented a number of oral amendments to the text. In the third preambular paragraph, the word "and" should be inserted after the words "Economic and Social Council", the words "and the Commission on the Status of Women" should be deleted, and the words "as well as of the Commission on the Status of Women, as appropriate" should be inserted at the end of the paragraph. The seventh preambular paragraph should be deleted. In the ninth preambular paragraph, the words "the majority of" should be inserted between the words "essential contribution that" and "older men and women".

38. The thirteenth preambular paragraph should read "*Noting* the reports of the Open-ended Working Group on Ageing and welcoming the report of the United Nations High Commissioner for Human Rights on the human rights situation of older persons, which states that dedicated measures to strengthen the international protection for older persons are called for without further delay, including a new dedicated international instrument".

39. The beginning of paragraph 1 should now read "*Decides* that the Open-ended Working Group on Ageing, which shall be open to all Member States and observers of the United Nations, shall", and thereafter continue as in the existing draft text.

40. Paragraph 3 should now read "*Invites* States and relevant bodies and organizations of the United Nations system, including relevant human rights mandate holders and treaty bodies and the regional commissions, as well as intergovernmental organizations with an interest in the matter, to make contributions to the work entrusted to the Open-ended Working Group on Ageing, as set out in paragraph 1 above, and also invites relevant non-governmental organizations to contribute, as appropriate, based on the modalities for participation agreed by the Open-ended Working Group on Ageing". It should be accompanied by a footnote referring the reader to A/AC.278/2011/2, the February 2011 report of the Open-ended Working Group on Ageing on its organizational session.

41. He urged the Committee to adopt the draft resolution by consensus.

42. **Mr. Gustafik** (Secretary of the Committee) said that Gabon had joined the sponsors of the draft resolution.

43. **The Chair** said that a recorded vote had been requested.

44. **Mr. Escalante Hasbún** (El Salvador) asked which delegation had requested the recorded vote.

45. **The Chair** said that the vote had been requested by the delegation of the United States of America.

46. **Ms. Loew** (Switzerland), speaking also on behalf of Norway in explanation of vote before the voting, said that her delegation agreed that there was a need to focus on the protection of older persons but was not convinced that a new global regulatory framework was required. A new convention would not fill the implementation, monitoring and information gaps observed at the recent meeting of the Working Group.

Her delegation preferred to make better use of existing mechanisms rather than create a new one. All United Nations human rights instruments protected older persons, leaving no normative gaps. The proposed convention was premature because alternatives had been proposed within the Working Group and the Committee which should be explored further. Her delegation regretted that the main sponsors had not taken its concerns into account in the text. It would therefore abstain from voting on the draft resolution.

47. **Ms. Robl** (United States of America), speaking in explanation of vote before the voting, said that the Group of 77 and China had proposed draft resolution A/C.3/67/L.13 on the follow-up to the Second World Assembly on Ageing, which anticipated synergies between the Working Group and the Madrid International Plan of Action on Ageing and was expected to be adopted with strong support. Draft resolution A/C.3/67/L.9/Rev.1, in contrast, gave the Working Group a mandate to present a proposal regarding a new instrument on older persons to the General Assembly. It did not take account of the discussions at the 2011 and 2012 sessions of the Working Group, during which no consensus had emerged on whether such an instrument was the best way forward.

48. Older persons' human rights were already protected under existing instruments. There were actions in the short term within the terms of those instruments which should be considered. Scarce resources would be better spent on implementing rights under the existing framework than on negotiating a new document and diverting funds from the more immediate needs of older persons. Her delegation would therefore vote against the draft resolution.

49. **Mr. Makriyiannis** (Cyprus), speaking in explanation of vote before the voting, also on behalf of the European Union and its member States, said that those States were fully committed to the human rights of older persons and aware of the serious challenges they faced. While the attempt to strengthen the rights of older persons was appreciated, the European Union did not share the view that a new universal convention was the way forward. There was no doubt that serious protection and implementation gaps existed. However, they were not of a normative nature; consequently, a new standard-setting process was unnecessary. Moreover, all of the existing human rights instruments also covered and protected older persons without discrimination. International, regional and national efforts should instead be concentrated on more effective implementation of existing standards and mechanisms. Furthermore, creating another convention would increase the pressure on an already-overburdened and underfunded treaty body system.

50. The outcome of the forthcoming review of the Madrid Plan of Action should also be awaited before any decision was taken. The Open-ended Working Group on Ageing had not yet exhausted its comprehensive mandate; discussions should be continued in that framework. The European Union refuted the sponsors' claim that the draft resolution did not affect that mandate — in fact, it would expand the mandate of the Working Group by asking it to consider proposals for an international legal instrument and present the main elements thereof to the General Assembly. The creation of a new legal instrument required international consensus, without which it would lack the solid basis for it to be effective. The probable lack of support for the draft resolution would have a negative impact on the common efforts to uphold the rights of older persons. More time was needed to discuss the proposal at hand. He regretted that the concerns clearly voiced by the European Union and the alternatives proposed during informal consultations had not been reflected in the text. The membership of the United Nations remained divided on the need for a new legal instrument; many were unwilling to start working on a new convention as of 2013. For those reasons, the European Union member States would abstain from voting.

51. *A recorded vote was taken on draft resolution A/C.3/67/L.9/Rev.1, as orally revised.*

In favour:

Bangladesh, Belize, Bhutan, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, Cambodia, Chile, Colombia, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Guatemala, Guinea, Guyana, Haiti, Honduras, Indonesia, Kazakhstan, Lebanon, Malaysia, Maldives, Mali, Mauritius, Mexico, Nauru, Nicaragua, Panama, Paraguay, Peru, Philippines, Senegal, Singapore, South Africa, Sri Lanka, Thailand, Timor-Leste, Togo, Turkmenistan, United Republic of Tanzania,

Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia.

Against:

Canada, Somalia, United States of America.

Abstaining:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belarus, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, China, Comoros, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mauritania, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Sao Tome and Principe, Saudi Arabia, Serbia, Sierra Leone, Slovakia, Slovenia, South Sudan, Spain, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Vanuatu, Yemen, Zimbabwe.

52. *Draft resolution A/C.3/67/L.9/Rev.1, as amended, was adopted by 53 votes to 3, with 109 abstentions.**

53. **Mr. Kumar** (India) said that his delegation believed that the resolution presupposed the outcome of the consultations taking place within the framework of the Open-ended Working Group on Ageing, especially against the backdrop of the review of the implementation of the Madrid Plan of Action. It fully supported all discussions to explore ways and means of identifying and remedying gaps in the implementation of existing provisions of international instruments and looked forward to discussing all possible options and forging consensus upon completion of the review.

54. **Mr. Hisajima** (Japan) said that his delegation had abstained from voting because the Government of Japan had been engaged in United Nations efforts to promote and protect the human rights of older persons, especially in the Working Group. In the Working Group and in negotiations on the draft resolution alike, Japan had stressed the importance of resolving gaps in existing frameworks and of first conducting the review of the Madrid Plan of Action. The draft resolution aimed to create a legal instrument without sufficient consideration by Member States; bearing in mind the ongoing discussions in the Working Group, it was premature and could undermine its activities.

55. **Ms. Teo** (Singapore) said that like many other Member States, Singapore faced the challenges consonant with an ageing population. The Government had therefore implemented a number of strategies and social programmes to ensure proper care for the elderly and supported international efforts. For those reasons, her delegation had voted in favour. However, she noted that negotiations had been difficult, with a number of delegations voicing concern over the need for a specific international legal instrument. She encouraged all parties to continue working towards consensus on developing such an instrument, adopting a results-based approach to addressing the challenges of vulnerable groups. Without that consensus, any international instrument would be ineffective.

56. **Mr. Butt** (Pakistan) said that his country had always supported the establishment of the Working Group, having understood that exhaustive discussions therein would lead to consensus to start work on a treaty or its elements. While sympathizing with the noble views of the sponsors, his delegation considered that the draft resolution was trying to expedite a process without taking into account the views of all Member States. Consensus arrived at through deliberation was the best way forward for any international legal instrument. Accordingly, while it remained fully committed to the protection of older persons, Pakistan had been constrained to abstain from voting.

57. **Mr. Zhange** Guixuan (China) said that his country attached particular importance to the protection of the legitimate rights of older persons. However, China believed that the focus should remain

* The delegation of Argentina subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

on allowing the existing international framework, particularly the Madrid Plan of Action, to play its role. Member States should give due regard to the second review and appraisal of the implementation of that Plan. As to the creation of an international legal instrument, his delegation was of the view that all Member States should respect the mandate of the Working Group and advance future work progressively and by consensus.

Agenda item 28: Advancement of women (*continued*)

(a) Advancement of women (*continued*) (A/C.3/67/L.19/Rev.1 and A/C.3/67/L.20/Rev.1)

Draft resolution A/C.3/67/L.19/Rev.1: Intensification of efforts to eliminate all forms of violence against women

58. **The Chair** said that the draft resolution had no programme budget implications.

59. **Mr. Caboche** (France), speaking also on behalf of the Netherlands, introduced the draft resolution and made some editorial changes. He said that Algeria, Australia, Bolivia (Plurinational State of), Colombia, Djibouti, Iceland, India, Israel, Jordan, Liechtenstein, Maldives, Morocco, New Zealand, the Republic of Korea, Switzerland and the United States of America had joined the sponsors. Some 20 informal consultations had been held, and the resulting text represented the best possible compromise based on all the suggestions made. The draft resolution was a joint framework for combating violence against women, with a series of measures that States must take to protect victims. He acknowledged the flexibility of all delegations and the expertise provided by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). He expressed the hope that, in keeping with past practice, the draft resolution would be adopted by consensus.

60. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Antigua and Barbuda, the Bahamas, Belarus, Belize, Bosnia and Herzegovina, Brazil, Côte d'Ivoire, the Dominican Republic, Gambia, Grenada, Guyana, Haiti, Honduras, Kazakhstan, Kyrgyzstan, Lebanon, Madagascar, Mali, Mauritania, Montenegro, Nigeria, Panama, Papua New Guinea, Paraguay, the Philippines, San Marino, Senegal, South Sudan, Suriname, Swaziland, Togo, Tunisia, Turkey, Uganda, Ukraine and the United Republic of Tanzania had joined the sponsors.

61. **Mr. Elbahi** (Sudan), speaking on behalf of the group of Arab States, said that the group would join the consensus on the draft resolution out of its belief that it was a common international objective, not restricted to one region. Many of its proposals had been taken into consideration by the facilitators, who had displayed great flexibility in their efforts to have a balanced text and to reach consensus on controversial paragraphs, particularly the paragraph pertaining to violence against women by occupation forces. The Arab States had taken important steps to implement their international obligations on the issue, including the Arab Strategy for Combating Violence against Women established by the League of Arab States in 2011. The Strategy focused on the prevention of such violence in armed conflict and on the increasing role of women in conflict resolution, peacekeeping and peacebuilding. The League had also sought to include civil society organizations in domestic and regional protection frameworks.

62. *Draft resolution A/C.3/67/L.19/Rev.1, as orally revised, was adopted.*

63. **Mr. Errazuriz** (Chile), speaking in explanation of position, said that Chile had made substantive progress in eliminating violence against women through preventive and protective measures. The Government had undertaken legal reform regarding women victims of trafficking, which was added to the body of legislation that included laws on domestic violence, family courts and femicide. Standards and laws also made provisions for education programmes, shelters and measures for protecting migrant women who were victims of violence. Believing that to combat the scourge of violence, it was necessary to develop and promote education on equality and respect, greater participation of women in politics and more job opportunities, Chile regretted that some of those elements were not present in the draft resolution. While it would have liked to sponsor the draft resolution, as in the past, it had been unable to do so owing to the introduction of reproductive rights, on which there was no consensus, into the discussion. Chile protected all life from the moment of conception; consequently, it could not interpret any part of the resolution as an acceptance of abortion or a contradiction of its domestic laws. His delegation hoped to continue to contribute actively in advancing the issue, particularly at the next session of the Commission on the Status of Women.

64. **Mr. Butt** (Pakistan) said that, while Pakistan maintained some of its reservations regarding the text, including the amalgamation of the mandate of Security Council resolutions and references to the contribution of religion and culture to violence against women, it had been satisfied with the overall thrust of the draft resolution. On such an important issue, potentially divisive controversial references and unrelated questions should be avoided. The international community must take advantage of its collective commitment to eliminating violence against women and work to strengthen the protection framework and take the necessary steps at policy and implementation levels.

65. **Ms. Phipps** (United States of America), noting the extensive and intertwined health effects of violence against women, said that her country strongly endorsed the draft resolution, which established a critical linkage between sexual and reproductive health and reproductive rights. The United States welcomed the recognition in the resolution of the importance of States' compliance with commitments under the Programme of Action of the International Conference on Population and Development (ICPD) and many subsequent United Nations resolutions, which outlined those rights and provided the foundation for the global effort to eliminate violence. Her country would continue to work to advance the implementation of the Programme of Action, including sexual and reproductive health and rights. To eliminate the many forms of violence that women faced worldwide, it was critical to promote and protect their reproductive rights, including the right to make decisions concerning reproduction without discrimination and coercion. The basic right of all couples to plan their families freely and responsibly was vital for advancing the status of women.

66. **Ms. Khvan** (Russian Federation) said that the Russian Federation had joined the consensus as it attached great importance to combating violence against women, which remained an obstacle to true gender equality. However, her delegation could not agree with some of the formulations in the draft resolution. While all cultures and civilizations had their inalienable traditions, beliefs and customs, with common human values that were the basis of human rights standards, those traditions should contribute to society, not serve to justify violence against women. Traditions that discriminated against women, violated their rights and jeopardized their health must be condemned. Her delegation had repeatedly expressed its views on certain harmful practices and was therefore concerned about the use of the term "harmful customary practices". It was time to reassess the way in the which the United Nations approached the question within the framework of the dialogue of civilizations; distinction should be made between traditions and religions on the one hand, and prejudices and harmful customary practices on the other.

67. While her delegation welcomed the transparent and constructive consultation process and the efforts to take account of the concerns and proposals of all delegations, she nevertheless underscored that the sponsors had not made efforts to understand certain conflicting positions, complicating the negotiations and threatening the consensus. She therefore wished to remind sponsors that theirs was not only a right, but a great responsibility; United Nations resolutions were not the sole property of the sponsors and should therefore reflect the diversity of the Organization's membership.

68. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her delegation had joined the consensus on the draft resolution; protecting women against all forms of violence and guaranteeing all of their fundamental rights were State policies, which had resulted in innovative laws — including an organic law criminalizing 19 forms of violence against women — and in the creation of special courts and Prosecutor's Offices dealing with cases of violence against women and the national Office of the Ombudsperson for Women. However, Venezuela had withdrawn its sponsorship after the inclusion of unnecessary mentions of Security Council resolutions, part of a regrettable tendency of certain States to distort the consideration of agenda items by the Third Committee and the General Assembly. Furthermore, her delegation considered that the very Bretton Woods institutions to which exclusive reference was made in paragraph 25, having imposed failed policies and unjust conditions, were responsible for reductions in States' social expenditure and the poverty and inequality that made women more vulnerable to violence. There were a number of alternative regional and international financial institutions that provided unconditional assistance for relevant national plans. She expressed the hope that the concerns mentioned would be reflected in the draft resolution to be

presented at the sixty-ninth session of the General Assembly.

69. **Reverend Wylie** (Observer for the Holy See) said that his delegation reaffirmed its reservations concerning all references to sexual and reproductive health and, in particular, to the controversial expression "reproductive rights". The 1994 ICPD report had expressly stated that such terminology created no new human rights, that abortion should never be a family planning solution and that it was a matter of national legislation. The Holy See thus reiterated that those terms should never be construed to include access to abortion or to abortifacients, particularly in the context of a draft resolution on eliminating all forms of violence against women, given their vastly disproportionate consequences on girls worldwide. It was also important to recall the provisions of the Convention on the Rights of the Child and the obligations of States to uphold the rights and responsibilities of parents with regard to the upbringing of their children for their individual cultural and spiritual development. His delegation also understood gender to mean male and female, according to customary usage of the term.

Draft resolution A/C.3/67/L.20/Rev.1: Trafficking in women and girls

70. **The Chair** said that the draft resolution had no programme budget implications.

71. **Ms. Hernando** (Philippines), introducing the draft resolution, said that Andorra, Australia, Austria, Bahrain, Belgium, Bolivia (Plurinational State of), Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Germany, Greece, Grenada, Hungary, India, Ireland, Italy, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, the Niger, Paraguay, Peru, Poland, Portugal, Qatar, the Republic of Korea, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Togo, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and the United States of America had joined the sponsors. Recalling that the heinous crime of trafficking in persons, particularly women and children, was of such magnitude that national or regional efforts were ineffective, she highlighted the main objectives and action called for in the draft resolution and expressed the hope that the Committee would again adopt the draft resolution by consensus.

72. **Mr. Gustafik** (Secretary of the Committee) said that Albania, the Bahamas, Bosnia and Herzegovina, Brazil, Chile, Côte d'Ivoire , the Dominican Republic, Ecuador, Georgia, Jamaica, Kazakhstan, Liberia, Malawi, Monaco, Montenegro, Nicaragua, Panama, San Marino, Senegal, Serbia , Turkey, Ukraine, Uruguay, and the Bolivarian Republic of Venezuela had joined the sponsors.

73. *Draft resolution A/C.3/67/L.20/Rev.1 was adopted.*

Agenda item 68: Rights of peoples to self-determination (*continued*) (A/C.3/67/L.54)

Draft resolution A/C.3/67/L.54: The right of the Palestinian people to self-determination

74. **The Chair** said that the draft resolution had no programme budget implications.

75. **Mr. Selim** (Egypt) said that since the introduction of the draft resolution, Belarus, Belize, Chile, Congo, Croatia, the Czech Republic, Germany, Ghana, Grenada, Guinea Bissau, Kyrgyzstan, Latvia, Liberia, Mauritius, Mozambique, the Netherlands, Paraguay, Seychelles, Rwanda, Sierra Leone, Tajikistan, Timor-Leste, Ukraine and the United Republic of Tanzania had joined the sponsors. The sponsorship of the draft resolution by 142 Member States reflected the wide support for the inalienable right of the Palestinian people to self-determination, as enshrined in international law and human rights instruments. Self-determination was a right, not a gift, and Palestinians had long awaited international recognition of their rights and backing for an end to Israeli occupation and exploitation of their land. He hoped that Member States would send strong a message of solidarity by adopting the resolution by consensus, thereby contributing to the ultimate realization of the long overdue right to self-determination, with the establishment of a sovereign and viable State of Palestine with East Jerusalem as its capital.

76. **Mr. Gustafik** (Secretary of the Committee) announced that Barbados, the Democratic Republic of the Congo and Guyana had joined the sponsors.

77. **Ms. Furman** (Israel), speaking in explanation of vote before the voting, said that history had shown that peace must be negotiated from within. Only Israelis

and Palestinians, together, could make the difficult compromises needed; only they could create two neighbouring States for two peoples living in lasting peace and security.

78. Despite repeated calls by Israel's Prime Minister for a resumption of direct bilateral negotiations without preconditions, Palestinian leaders had continually placed conditions. Eagerly taking their message to world leaders while refusing discussions with Israel, they were more interested in advancing anti-Israel resolutions at the United Nations than in negotiating peace, as evidenced by the current resolution. Israel had consistently demonstrated its willingness to recognize Palestinian aspirations for self-determination; the Palestinians had yet to recognize Israel as the homeland of the Jewish people and its right to peace and security.

79. Israel's withdrawal from Gaza, uprooting thousands from their homes, had given the Palestinians an opportunity to bring prosperity to the Gaza Strip, to make Palestinian self-determination a reality. Instead, the bloody coup by the terrorist organization, Hamas, had transformed Gaza into an Iranian outpost for terror, whence, over ten years, more than 13,000 Hamas rockets had been fired into nearby Israeli communities, terrorizing one million civilians. That group's actions proved that its desire for the destruction of Israel outweighed its regard for the Palestinian people; by unconditionally embracing Hamas, the Palestinian Authority effectively embraced the consequences of terror.

80. While it was much easier to criticize Israel from afar than to negotiate with it in Jerusalem, that would not benefit the Palestinian people in Ramallah, Nablus, Hebron and Gaza. Israel would vote against the resolution but did not oppose Palestinian self-determination and supported the two-State solution. Clearly, the sponsors were not truly in favour of such a solution; otherwise they would urge Palestinian leaders to stop advancing futile resolutions and to start negotiating with Israel. The conflict would not be solved in New York, but in the Middle East. Israel called on the Palestinian leadership to abandon unilateralism and engage in negotiations.

81. At the request of Israel, a recorded vote was taken on draft resolution A/C.3/67/L.54.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, United States of America.

Abstaining:

Cameroon, Honduras, South Sudan.

82. *Draft resolution A/C.3/67/L.54 was adopted by 173 votes to 6, with 3 abstentions.*

83. **Mr. Diaz Bartolomé** (Argentina) said that his delegation welcomed the adoption of the draft resolution and expressed the hope that it would lead to the prompt realization of the right to self-determination of the Palestinian people and to an independent State of Palestine. Argentina recognized the inalienable rights of the Palestinian people and had voted in favour of the resolution, just as it had recognized Palestine as a State in 2010, in a reflection of its desire to promote negotiation towards an end to the conflict and its deep desire for peaceful coexistence among all peoples. He confirmed Argentina's unwavering support for the right of Israel to be recognized by all and to live in peace and security within its borders.

84. Exercise of the right to self-determination presupposed that there was an active subject in the form of a people subject to alien subjugation, domination and exploitation, as defined in resolution 1514 (XV), paragraph 1. Without such a subject, there was no right to self-determination. The Malvinas Islands were unlawfully occupied by the United Kingdom of Great Britain and Northern Ireland, which had expelled the local population and replaced it with its own population, with the result that the right to self-determination did not apply to the question of the Malvinas Islands. However, the other guiding principle of decolonization — territorial integrity — did apply, as established in all relevant resolutions of the General Assembly since 1965 and of the Special Committee on decolonization, which recognized the existence of a special and particular colonial situation between the Governments of Argentina and the United Kingdom, and noted that the way to resolve that sovereignty dispute was through the resumption of bilateral negotiations with a view to finding a just, peaceful and lasting solution as soon as possible, taking into account the interests of the islanders.

85. **Mr. de Sellos** (Brazil) reiterated Brazil's support for the right of the Palestinian people to self-determination. In a recent statement, Heads of State of the Southern Common Market (MERCOSUR) had strongly condemned recent violence and disproportionate use of force which had led to loss of human life. The statement had also urged all parties to cease violence immediately, called for the admission of Palestine as an observer State and urged the Security Council to act according to its mandate and renew efforts to address the Israeli-Palestinian conflict.

86. Brazil regretted Israel's manifest lack of willingness to cooperate in implementing decisions of the Human Rights Council and General Assembly resolutions concerning the Occupied Palestinian Territories; dialogue and cooperation were the only way forward. If other countries singled out by the Council showed similar disregard for its opinions, its effectiveness could be damaged. While he expressed concern for the safety of the Israeli population, the violations suffered by the Palestinians under occupation were a continued obstacle to peace. All parties must respect human rights and international humanitarian law for there to be enduring peace.

87. **Ms. Rasheed** (Observer for Palestine) said that the large number of sponsors of the draft resolution was a testament to the support of the international community for the legitimate right of the Palestinian people to self-determination — a right that had been brutally withheld under Israeli occupation. The overwhelming support sent a clear message to the occupying Power that its violations and contempt of international law would no longer be tolerated and that it was expected comply fully with all of its legal obligations. The resolution was not contrary to peace efforts; rather, it was complementary and vital. It must be reiterated that the right to self-determination had never been one of the permanent status issues, nor would it ever be. It was not to be negotiated, as the representative of the occupying Power would appear to suggest, but a given, inalienable right for all and the sole domain of the Palestinian people.

88. By voting against the resolution, Israel was sending a clear message to the Palestinians that it was not for peace or for the right to self-determination, but rather that it fiercely rejected a real peace settlement based on the existence of two States. For a just peace to be achieved, the basic right to self-determination must be mutually recognized by both parties. She recalled the Palestinian people's historic recognition of Israel's right to exist in 1988, in a compromise in which they agreed to a Palestinian State on only 22 per

cent of its historic lands. In contrast, Israel continued to confiscate more and more land to build illegal settlements and its separation wall in occupied Palestinian territories, including East Jerusalem, further threatening a two-State solution. The occupying Power continued to violate all of the rights of Palestinian people, killing more than 100 civilians — including 13 women and 33 children — in renewed violence the previous week in Gaza.

89. Israel denied the inalienable rights of the Palestinian people, denied Palestine its rightful place among the community of nations and rejected its peaceful efforts to advance the rights of its people. The time had come to hold Israel accountable to the United Nations Charter and the rule of international law to which it was held as a Member State — a privilege too long denied to Palestine and which it had grossly abused. Palestine would not surrender its legitimate national aspirations to realize its rights and achieve peace. The international community must unfailingly uphold the rule of law and not relent regarding Israel's crimes and impunity. The forthcoming vote by the General Assembly on the status of Palestine would be an historic day that would bring the Palestinian people one step closer to achieving fully the ultimate goal of establishing an independent State of Palestine, with East Jerusalem as its capital.

90. **Ms. Walker** (United Kingdom), speaking in exercise of the right of reply, said that her country had no doubt about its sovereignty over the Falkland Islands and its surrounding maritime areas. Her Government attached great importance to the principle of self-determination, as set out in the Charter of the United Nations and the International Covenant on Civil and Political Rights. She reiterated that there could be no negotiations on sovereignty unless and until the islanders so wished. Their democratically elected representatives had clearly asserted, at the most recent session of the Special Committee on decolonization, that they, like any other people, were entitled to exercise the right to self-determination and had no wish to change the Islands' current status. They had reiterated the historical fact that the Falkland Islands had no indigenous people, nor had any civilian population been removed from the Falkland Islands prior to their settlement.

91. **Mr. Díaz Bartolomé** (Argentina), speaking in exercise of the right of reply, recalled his Government's position, as recently expressed by the Argentine President before the Special Committee and the General Assembly, that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentina. As those islands were illegally occupied by the United Kingdom, they were the subject of a sovereignty dispute recognized by a number of international organizations. That occupation had prompted the General Assembly to adopt a series of resolutions, all of which recognized the existence of the sovereignty dispute and urged the two parties to resume negotiations. Similarly, the Special Committee on decolonization and the General Assembly of the Organization of American States had adopted repeated resolutions to that effect.

92. Argentina regretted the attempts by the Government of the United Kingdom to rewrite history with the obvious intention of covering up its 1833 invasion, which Argentina had repeatedly contested. The distortion of facts highlighted the lack of legal certainty with regard to its purported rights relating to the Malvinas Islands. Instead of attempting to refute historical facts it had already acknowledged, the United Kingdom should meet its commitment to resume negotiations.

The meeting rose at 6.20 p.m.

United Nations A/C.3/67/SR.47

General Assembly
Sixty-seventh session

Official Records

Distr.: General
29 January 2013

Original: English

Third Committee

Summary record of the 47th meeting
Held at Headquarters, New York, on Wednesday, 28 November 2012, at 10 a.m.

Chair: Mr. Mac-Donald ..... (Suriname)

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(a) Promotion and protection of the rights of children (*continued*)

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The meeting was called to order at 10.20 a.m.

Agenda item 27: Social development (*continued*)

(a) Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (*continued*) (A/C.3/67/L.11/Rev.1)

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/67/L.8/Rev.1 and L.12/Rev.1)

(c) Social development: Follow-up to the International Year of Older Persons: Second World Assembly on Ageing (*continued*) (A/C.3/67/L.13/Rev.1)

Draft resolution A/C.3/67/L.11/Rev.1: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

1. **The Chair** said that the draft resolution contained no programme budget implications.

2. **Mr. Chir** (Algeria), speaking on behalf of the main sponsors and the Group of 77 and China, said that Cyprus, Germany, Greece, Ireland, Italy, Luxembourg, Mexico, Portugal and the United Kingdom of Great Britain and Northern Ireland had joined the sponsors. New text in the draft resolution mentioned the United Nations Conference on Sustainable Development (Rio+20) and the ministerial declaration adopted at the high-level segment of the substantive session of 2012 of the Economic and Social Council.

3. He made a minor editorial change to preambular paragraph 13 of the draft resolution.

4. **Mr. Gustafik** (Secretary of the Committee) said that Belarus, Kazakhstan, Kyrgyzstan, the Republic of Korea, the former Yugoslav Republic of Macedonia, Serbia and South Sudan had joined the sponsors.

5. *Draft resolution A/C.3/67/L.11/Rev.1, as orally revised, was adopted.*

6. **Ms. Robl** (United States of America) said that her country was committed to accelerating progress toward the Millennium Development Goals by investing in national plans to boost agricultural development. The United States supported the continued attention in the text to the rights of indigenous peoples, but had voiced concerns with regard to previous versions of the draft resolution.

7. References to the global financial crisis were out of date. External threats to agriculture, such as natural disasters and trade distortion, were overemphasized, while domestic food security issues and the importance of creating a domestic enabling environment were not sufficiently stressed. Domestic policies played a critical role in providing opportunities and removing obstacles to economic growth.

Draft resolution A/C.3/67/L.8/Rev.1: Integrating volunteering in the next decade

8. **Mr. Hisajima** (Japan) said that Australia, Austria, Belgium, Bulgaria, Canada, Costa Rica, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, India, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey and the United Kingdom of Great Britain and Northern Ireland had joined the sponsors.

9. Reading out oral amendments to the draft resolution, he said that the new paragraph 6 should read: "Recognizes that an approach to volunteering may consider drawing on the notion of human security in accordance with all the provisions of General Assembly resolution 66/290, of 10 September 2012." In paragraph 9, "in particular" would be replaced by "particularly" and the phrase "the elaboration of future sustainable development goals" would be replaced by "giving appropriate consideration to the issue in the discussions of the post-2015 United Nations development agenda;".

10. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Andorra, Armenia, Bosnia and Herzegovina, Burkina Faso, Colombia, Croatia, the Dominican Republic, Egypt, Haiti, Lebanon, Madagascar, Malawi, Mali, Monaco, Montenegro, Morocco, the Philippines, the Republic of Moldova, San Marino, Serbia, South Sudan, Tunisia and Ukraine had joined the sponsors.

11. **Ms. Astiasarán Arias** (Cuba) said that her country's national literacy campaign in 1972 and its hurricane response activities demonstrated its support for volunteerism. Paragraph 6 of the draft resolution should be without prejudice to the provision contained

in General Assembly resolution 66/290 regarding future discussions of human security. Cuba would be in a better position to pursue such discussions following the release of the report of the Secretary-General requested in the draft resolution.

12. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that it was premature and irresponsible to incorporate mention of human security into any resolution. Forcing the issue weakened the balance of understandings that had been reached. The mention should not serve as a precedent. The concept of human security should not be incorporated until such time as it enjoyed consensus-based agreement.

13. **Ms. Wilson** (Jamaica) said that the discussions ongoing in another forum on the United Nations development agenda beyond 2015 should not be prejudged.

14. *Draft resolution A/C.3/67/L.8/Rev.1, as orally revised, was adopted.*

15. **Mr. Nebenzi** (Russian Federation) said that a number of provisions contained in the draft resolution were of no practical significance for the work of volunteers. The concept of human security was unlikely to bring anything fundamentally new to volunteer activity, and the attempt to introduce the concept through the draft resolution was counterproductive.

Draft resolution A/C.3/67/L.12/Rev.1: Preparations for and observance of the twentieth anniversary of the International Year of the Family

16. **The Chair** said that the draft resolution contained no programme budget implications.

17. **Mr. Chir** (Algeria), introducing the draft resolution on behalf of the Group of 77 and China, said that Turkey had joined the sponsors. The current draft resolution emphasized poverty eradication, full employment and decent work, work/life balance, social integration and intergenerational solidarity.

18. **Mr. Gustafik** (Secretary of the Committee) said that Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, the Russian Federation and Uzbekistan had joined the sponsors.

19. *Draft resolution A/C.3/67/L.12/Rev.1 was adopted.*

20. **Mr. Makriyiannis** (Cyprus), speaking on behalf of the European Union, said that family policies must be inclusive in order to be successful. Family structures had changed, and it was necessary to continue recognizing that diversity, as had been done at the United Nations conferences and summits in the 1990s and during the follow-up processes. Ongoing policy discussion and development should continue to reflect the diversity of family forms. All references to the family in the draft resolution in question were therefore understood as reflecting that diversity. Support for an inclusive approach was increasing.

21. **Ms. Robl** (United States of America) said that different family structures shared the common trait of providing a nurturing environment. The draft resolution should have contained specific references to various forms of the family.

Draft resolution A/C.3/67/L.13/Rev.1: Follow-up to the Second World Assembly on Ageing

22. **The Chair** said that the draft resolution contained no programme budget implications.

23. **Mr. Chir** (Algeria), speaking on behalf of the Group of 77 and China, said that Andorra, Austria, Belgium, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Macedonia, Malta, Mexico, the Netherlands, New Zealand, Portugal, Romania, Slovenia, Spain, Sweden, Turkey and the United States of America had joined the sponsors.

24. **Mr. Tegos** (Greece), speaking on a point of order, recalled that Security Council resolution 817 (1993) recommended the provisional use of the term "the former Yugoslav Republic of Macedonia" to refer to the State in question pending settlement of the difference that had arisen over the name of the State. All States were therefore requested to use the proper name of that country.

25. **Mr. Chir** (Algeria) said that the current draft resolution recommended that the situation of older persons be taken into account in ongoing efforts to achieve internationally agreed development goals.

26. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Hungary, Iceland, Israel, Kyrgyzstan, Monaco, Montenegro, Poland, the Republic of Korea, the Republic of Moldova, San Marino, Serbia, Slovakia, Ukraine and the United

Kingdom of Great Britain and Northern Ireland had joined the sponsors.

27. *Draft resolution A/C.3/67/L.13/Rev.1 was adopted.*

Agenda item 28: Advancement of women (*continued*) (A/C.3/67/L.71)

Draft resolution A/C.3/67/L.71: Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly

28. **Ms. Šćepanović** (Vice-Chair) introduced the draft resolution on behalf of the Chair of the Committee.

29. **The Chair** said that the draft resolution contained no programme budget implications.

30. *Draft resolution A/C.3/67/L.71 was adopted.*

31. **Mr. Chir** (Algeria), speaking on behalf of the Group of 77 and China, said that obstacles to the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly remained. Responsibility for implementation lay primarily at the national level.

32. **The Chair**, in accordance with General Assembly decision 55/488, suggested that the Committee should take note of the report of the Committee on the Elimination of Discrimination against Women on its forty-ninth, fiftieth and fifty-first sessions (A/67/38) and the note by the Secretary-General transmitting the report of the Special Rapporteur on Violence against Women (A/67/227).

33. *It was so decided.*

Agenda item 62: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/C.3/67/L.61)

Draft resolution A/C.3/67/L.61: Assistance to refugees, returnees and displaced persons in Africa

34. **The Chair** said that the draft resolution contained no programme budget implications.

35. **Ms. Farngalo** (Liberia), introducing the draft resolution on behalf of the African Group, said that by late 2011, Africa had become host to approximately one quarter of the world's refugees, many of whom were women and children. The draft resolution highlighted the burden and experience of the African States in hosting refugees and addressing issues related to returnees and displaced persons.

36. Australia, Chile, Croatia, Greece, Haiti, Honduras, Iceland, Ireland and Italy had joined the sponsors.

37. **Mr. Gustafik** (Secretary of the Committee) said that Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Costa Rica, Estonia, Finland, Georgia, Lithuania, Luxembourg, Mexico, Montenegro, Poland, Portugal, the Republic of Moldova, Romania, Serbia, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, Turkey and the United Kingdom of Great Britain and Northern Ireland had joined the sponsors.

38. *Draft resolution A/C.3/67/L.61 was adopted.*

39. **Mr. Makriyiannis** (Cyprus), speaking on behalf of the European Union, said that a more transparent and inclusive consultation process would have provided the opportunity to strengthen the resolution and garner the sponsorship of more member States of the European Union.

Agenda item 65: Promotion and protection of the rights of children (*continued*)

(a) Promotion and protection of the rights of children (*continued*) (A/C.3/67/L.23/Rev.1)

Draft resolution A/C.3/67/L.23/Rev.1: Rights of the child

40. **Mr. Gustafik** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the Rules of Procedure of the General Assembly, made reference to the mandate of the Special Representative of the Secretary-General on Violence against Children, which would be funded from the regular budget starting from the biennium 2014-2015. In that connection, he drew the attention of the Third Committee to the provisions of section IV of General Assembly resolution 45/248 B and subsequent resolutions, the most recent of which was resolution 66/246, in which the General Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with the responsibilities for administrative and budgetary matters, and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

41. During the biennium 2012-2013, the core activities and mandate of the Special Representative of the Secretary-General for the current biennium would continue to be funded through voluntary contributions. The Secretary-General would have to undertake a comprehensive assessment of the scope and details of regular budget resources needed for the effective performance of the mandate and the sustainability of the core activities of the Special Representative as requested in the draft resolution. The estimated resource requirements would be included in the proposed programme budget for the biennium 2014-2015 and would be reviewed in accordance with established procedures.

42. Adoption of the draft resolution would therefore entail no additional requirements under the programme budget for the biennium 2012-2013.

Agenda item 68: Right of peoples to self-determination (*continued*) (A/C.3/67/L.58)

Draft resolution A/C.3/67/L.58: Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

43. **The Chair** said that the draft resolution contained no programme budget implications.

44. **Ms. Asticsarán Arias** (Cuba) said that Belarus, the Congo, Ghana, Lesotho, Madagascar, Malaysia, Namibia, Niger, Nigeria, Pakistan, Peru, the Sudan, the United Republic of Tanzania, Uruguay, Vanuatu, Viet Nam and Zimbabwe had joined the sponsors. The current draft resolution expressed grave concern with regard to human rights violations involving mercenaries and employees of private military and security companies, including summary executions, forced disappearances, torture and rape.

45. **Mr. Gustafik** (Secretary of the Committee) said that the Dominican Republic, the Gambia, Mauritania, Somalia and Uganda had joined the sponsors.

46. **Mr. Makriyiannis** (Cyprus) speaking on behalf of the European Union in explanation of vote before the voting, said that the Third Committee and the Human Rights Council were not the proper forums for addressing mercenary activity. Such matters should not be approached primarily from the standpoint of human rights and the threat to the right of self-determination.

47. Private military and security companies should not be included in the draft resolution. Such entities must be properly regulated and held accountable for breaches of international law. It would be false and misleading to equate mercenaries and employees of private military and security companies. Regulation of private military and security companies was related to several branches of international law, including law on the use of force, international humanitarian law, human rights law, States' responsibility and international criminal law. In the absence of an understanding on important definitions and approaches, the member States of the European Union would vote against the draft resolution.

48. *At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.3/67/L.58.*

In favour:

Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Afghanistan, Colombia, Fiji, Mexico, Switzerland.

49. *Draft resolution A/C.3/67/L.58 was adopted by 122 votes to 52, with 5 abstentions.*

50. **Mr. Díaz Bartolomé** (Argentina) said that his Government supported the right of colonized peoples to self-determination in accordance with General Assembly resolution 1514 (XV), which stated that that right existed only where there was an active subject in the form of a people living under alien subjugation, domination and exploitation. All General Assembly resolutions since resolution 2065 (XX) and the annual resolutions of the Special Committee on decolonization on the question of the Malvinas Islands recognized the existence of a sovereignty dispute between Argentina and the United Kingdom, which should be resolved through bilateral negotiations. The United Kingdom had illegitimately occupied the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, had expelled the Argentine population and had replaced it with United Kingdom subjects. Hence it was not the right to self-determination which applied to the situation but the principle of territorial integrity.

51. **Ms. Walker** (United Kingdom) said that her Government had no doubts about its sovereignty over the Falkland Islands and the surrounding maritime areas, and attached great importance to the principle of self-determination as set out in the Charter of the United Nations and the International Covenant on Civil and Political Rights, which underpinned its position on the Islands. Sovereignty negotiations would not be possible without the islanders' agreement. Their democratically elected representatives had clearly expressed their views at the 2012 session of the Special Committee on decolonization, at which they had requested recognition of their right to self-determination, reiterating the historical fact that the islands had had no indigenous inhabitants and that no civilian population had been removed before the arrival of the islanders, who were the only people of the Falkland Islands and wanted no change in the Islands' status.

Agenda item 69: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/67/L.27/Rev.1, A/C.3/67/L.32/Rev.1*, A/C.3/67/L.33 and A/C.3/67/L.39)

Draft resolution A/C.3/67/L.27/Rev.1: United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region

52. **Mr. Gustafik** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that, with regard to the request in paragraph 5 of the draft resolution for the Secretary-General to provide regular budget resources to the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region from 2014-2015, the attention of the Committee was drawn to section 4 of General Assembly resolution 45/248b and subsequent resolutions, in which the General Assembly had reaffirmed that the Fifth Committee was responsible for administrative and budgetary matters, and had confirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

53. The Centre's activities in 2012-2013 would be funded through voluntary contributions. Meanwhile, the Secretary-General would assess the regular budget resources needed for the performance of the Centre's mandate, as requested in the draft resolution. The estimated requirements would be included in the proposed programme budget for 2014-2015 and would be reviewed by the intergovernmental bodies.

54. The request in paragraph 6 was expected to require the production by the Department of General Assembly and Conference Management of one 8,500-word document in the official languages, for which provision had not been made in the programme budget for 2012-2013. If the General Assembly adopted the draft resolution, therefore, additional requirements of $50,900 would arise under section 2, but every effort would be made to absorb those requirements within existing resources and to report thereon in the second performance report for 2012-2013.

55. **Mr. Laram** (Qatar) said that Azerbaijan, Bahrain, Egypt, Grenada, Jordan, Kuwait, Libya, Mauritania, Morocco, Oman, Saint Vincent and the Grenadines, Saudi Arabia, the Sudan, Tunisia, Turkey, the United Arab Emirates and Yemen had become sponsors of the draft resolution. Following consultations with the Member States, his delegation had reflected in the text requests for regular budget funding for the Centre to start in 2014-2015. The adoption of the draft resolution would be a landmark in the Centre's ability to fulfil its mandate; political changes in the region had confirmed the need for a specialized body meeting the need for human rights capacity-building. He hoped that the draft resolution would be adopted by consensus.

56. **Mr. Gustafik** (Secretary of the Committee) said that Cameroon, the Comoros, the Philippines and Somalia had joined the sponsors.

57. **The Chair** said that a recorded vote had been requested on the draft resolution.

58. **Mr. Laram** (Qatar) asked which delegation had requested the recorded vote.

59. **The Chair** said that the vote had been requested by the delegation of the Syrian Arab Republic.

60. **Ms. Alsaleh** (Syrian Arab Republic), speaking in explanation of vote before the voting, said that her delegation was surprised that the Qatari Government was seeking to finance the Centre from the regular budget despite the financial crisis at the Office of the United Nations High Commissioner for Refugees (UNHCR). Regular budget funding would run counter to General Assembly resolution 60/153 on the establishment of the Centre, which stipulated that it should be funded through voluntary contributions.

61. Her Government had monitored the Centre's activities since its creation and did not believe that they justified regular budget funding. The Centre was not functioning as a regional centre, but had instead been used by the Qatari Government to support non-governmental organizations and opposition groups in the region.

62. The Qatari delegation had violated Third Committee and General Assembly procedure, since it should have submitted the draft resolution to the Fifth Committee. Her delegation advised the Qatari Government to reduce its funding of terrorist groups in the Syrian Arab Republic so that it could finance the Centre without resorting to the regular budget. Her delegation would therefore vote against the draft resolution.

63. Ms. Robl (United States of America), speaking in explanation of vote before the voting, said that institutions such as the Centre were important to countries in political transition and thanked Qatar for its commitment to human rights capacity-building. Her delegation supported the Centre's work but was disappointed that the draft resolution could not be adopted by consensus. It would vote in favour of the draft resolution.

64. *A recorded vote was taken on draft resolution A/C.3/67/L.27/Rev.1.*

In favour:

Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland,

Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Viet Nam, Yemen, Zambia.

Against:

Syrian Arab Republic.

Abstaining:

Afghanistan, Angola, Bolivia (Plurinational State of), Botswana, Côte d'Ivoire, Democratic Republic of the Congo, Ecuador, Indonesia, Japan, Lao People's Democratic Republic, Mozambique, Namibia, Nicaragua, Samoa, Sri Lanka, Venezuela (Bolivarian Republic of), Zimbabwe.

65. *Draft resolution A/C.3/67/L.27/Rev.1 was adopted by 149 votes to 1, with 17 abstentions.*[1]

66. **Mr. Makriyiannis** (Cyprus), speaking on behalf of the European Union and its member States, said that the European Union agreed that regional cooperation was fundamental to the promotion of human rights and therefore welcomed the start of training and regional consultation at the Centre. It noted the assessment of the High Commissioner on Human Rights that recent developments in the Middle East and North Africa had generated both growing demand for the Centre's activities and concerns about the Centre's capacity to meet that demand.

67. With regard to United Nations resources, the European Union's aim was to maintain the stability of the regular budget, promote best practices and reduce spending. It welcomed the clarification of the analysis required before regular budget funding could start, and would appreciate further assessment of the Centre's work. Alternative means of funding, such as cost-sharing and voluntary contributions, should be considered. His delegation asked for those factors to be included in the considerations outlined by the Secretariat for the biennium 2014-2015. The European Union was committed to human rights and would continue to examine how the Centre's mandate could be strengthened. The European Union and its member States had therefore voted in favour of the draft resolution.

68. **Mr. Hisajima** (Japan) said that his delegation had abstained from voting on the draft resolution. Although it recognized the importance of the Centre, it was cautious about approving regular budget expenditure in the current climate, favouring voluntary contributions instead.

Draft resolution A/C.3/67/L.32/Rev.1: Human rights and extreme poverty*

69. **The Chair** said that the draft resolution had no programme budget implications.

70. **Mr. Thornberry** (Peru) said that the draft resolution had been updated to include a reference to the guiding principles on extreme poverty and human rights adopted by the Human Rights Council in its resolution 21/11. His delegation was convinced of the close relationship between the fight against extreme poverty and the exercise of human rights, and hoped that the draft resolution would allow people in extreme poverty to enjoy those rights.

71. Bulgaria, China, Croatia, the Czech Republic, Denmark, Germany, Greece, Japan, Latvia, Malta, Poland, Romania, Saudi Arabia, Spain and the United Kingdom of Great Britain and Northern Ireland had become sponsors of the draft resolution. He hoped that the draft resolution would be adopted by consensus.

72. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Andorra, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Benin, Burundi, Cameroon, the Comoros, Côte d'Ivoire, Ecuador, Estonia, the Gambia, Georgia, Ghana, Grenada, Honduras, Liberia, Malaysia, Norway, Saint Kitts and Nevis, Senegal, Sierra Leone, South Africa, Suriname, Tunisia and Ukraine had joined the sponsors.

73. *Draft resolution A/C.3/67/L.32/Rev.1* was adopted.*

[1] The delegation of Indonesia subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

74. **Ms. Robl** (United States of America) said that although the Guiding Principles on Extreme Poverty and Human Rights were useful to States in the formulation of poverty eradication programmes, her delegation disagreed with certain interpretations of human rights law contained in those Principles. It had therefore joined the consensus on the draft resolution on the understanding that it did not imply that States should implement obligations under instruments to which they were not parties. Her delegation recognized no change in existing law as a result of its approval of the draft resolution, and understood the reaffirmation of various instruments to apply only to States which had already adhered to them. It also felt that the references to a global food crisis were inaccurate. Although the Food and Agriculture Organization of the United Nations (FAO) had issued warnings about regional crises and price volatility, it had emphasized that the situation did not equate to a global food crisis.

75. **Mr. Ruidiaz** (Chile) said that the draft resolution had taken note with appreciation of the Guiding Principles as useful to States in formulating poverty eradication policies. Following the financial crisis, States should not adopt measures which infringed the rights of those living in extreme poverty. The Guiding Principles should be considered as global political guidelines which applied States' human rights obligations to the specific situation of people in extreme poverty. His delegation encouraged the application of those guidelines by the United Nations, intergovernmental bodies and non-governmental organizations.

Draft resolution A/C.3/67/L.33: Globalization and its impact on the full enjoyment of all human rights

76. **The Chair** said that the draft resolution had no programme budget implications.

77. **Mr. Selim** (Egypt) said that Angola, the Congo, India, Mauritania, Saint Lucia, Togo, Rwanda and Zambia had joined in sponsoring the draft resolution. The large number of sponsors proved that the international community was aware of the great challenges and opportunities of globalization. Its balance, however, did not favour developing countries and made it harder for them to protect human rights. Although the aim of the draft resolution was to address the situation, certain delegations had refused to discuss fundamental problems in the text with the sponsors. They looked forward to more engagement during future consultations that would allow future related draft resolutions to be adopted by consensus.

78. **Mr. Gustafik** (Secretary of the Committee) said that the Dominican Republic, the Gambia and the Philippines had joined the sponsors.

79. **Mr. Constantinou** (Cyprus), speaking on behalf of the European Union and its member States in explanation of vote before the voting, said that the European Union acknowledged that globalization could affect the full enjoyment of some human rights but that its impact should be assessed on a case-by-case basis. The draft resolution, however, generalized the problem by claiming that globalization had an impact on all human rights.

80. The European Union also felt that the draft resolution focused almost exclusively on the negative aspects of globalization and ignored the positive ones. Globalization could offer means of addressing acute problems such as extreme poverty. European Union member States would therefore vote against the draft resolution.

81. *At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.3/67/L.33.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian

Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

82. *Draft resolution A/C.3/67/L.33 was adopted by 128 votes to 53.*

Draft resolution A/C.3/67/L.39: The right to development

83. **The Chair** said that the draft resolution had no programme budget implications.

84. **Ms. Astiasarán Arias** (Cuba), speaking on behalf of the Non-Aligned Movement, said that China had joined the sponsors of the draft resolution.

85. She read out a number of oral amendments to the text. The seventeenth preambular paragraph should be deleted. Paragraphs 2 and 5 should be deleted and replaced by a new paragraph 2 reading "Endorses the conclusions and recommendations adopted by consensus by the Working Group on the Right to Development of the Human Rights Council at its eleventh session, and, while reaffirming them, calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors, noting also the efforts under way within the framework of the Working Group with a view to complementing the tasks entrusted to it by the Human Rights Council in its resolution 4/4". At the end of paragraph 3, the words "with the recognition that the Working Group will convene annual sessions of five working days and submit its report to the Council" should be added, thus restoring the wording agreed by the Committee in 2011. The first line of paragraph 8 should be replaced with the words "Encourage Member States and relevant stakeholders when submitting views on the work of the high-level task force".

86. **Mr. Gustafik** (Secretary of the Committee) said that El Salvador and Senegal had also joined the sponsors.

87. **Mr. Ansari Dogaheh** (Islamic Republic of Iran), speaking on behalf of the Non-Aligned Movement, said that the right to development and self-determination, respect for sovereignty, non-interference in internal affairs and the prevention of violence were essential to peace and friendly relations, as set out in the Charter of the United Nations. His delegation believed in a constructive approach to the promotion of human rights and the equal treatment of civil, political, economic, social and cultural rights, including the right to development.

88. The Heads of State and Government of the Non-Aligned Movement had reaffirmed at their 2012 summit the need to promote human rights through international dialogue and to ensure the realization of the right to development. They had also reaffirmed the objective of making that right a reality as set out in the Millennium Declaration, and had decided to consider the negative impact of coercive measures which affected that right.

89. A new human order was needed to reverse the growing disparities between rich and poor through poverty eradication, full employment, decent work and social integration. Developing economies had been severely affected by the financial crisis, which had had a negative impact on the right to development. The crisis should therefore be addressed in order to promote development through sustained economic growth, poverty eradication and sustainable

development. States should foster efforts to fight extreme poverty and hunger in line with Millennium Development Goal 1 and participation by the poorest in decision-making. The United Nations should ensure that the right to development was upheld, including through the elaboration of a convention.

90. His delegation called on the United Nations to mainstream the right to development in its activities and in the strategies of international financial trading systems, taking into account that the economic principles of equity, non-discrimination, transparency, accountability, participation and international cooperation were indispensable to the right to development and the prevention of discriminatory treatment of matters of concern to developing countries.

91. The draft resolution was an attempt to meet the development aspirations of the Non-Aligned Movement. Since the Movement had shown flexibility in accommodating different views, it looked forward to more cooperation with interested partners. It regretted the fact that certain delegations had called for a vote and hoped that the Member States would in future be more flexible in order to achieve consensus.

92. **Ms. Robl** (United States of America), speaking in explanation of vote before the voting, said that her Government was the biggest bilateral donor of overseas assistance and recognized that development depended on political leaders and institutions in developing countries. Progress was possible where political leaders governed responsibly, but was difficult otherwise, regardless of the international community's engagement. Development goals would be achieved through the promotion of the rights set out in the Universal Declaration on Human Rights; economic goals should be pursued taking account of development and environmental needs.

93. Her delegation would vote against the draft resolution because it did not represent consensus on the best way to achieve development goals. Resolutions on the right to development should not include unrelated material on controversial topics being addressed elsewhere. Her delegation was not in favour of a binding international agreement on the matter and therefore could not support the current wording. Discussion of the right to development should focus on universal rights which individuals could demand from Governments; that concern was not reflected in the draft resolution.

94. As her delegation had stated in the discussions of the Working Group on the Right to Development and the Human Rights Council, the indicators produced by the high-level task force on the implementation of the right to development should be taken into account before changes to the work of the task force were considered. Her delegation would, however, continue to engage with the Working Group in order to move forward.

95. *At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.3/67/L.39.*

In favour:

Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, France, Gambia, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania,

Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Australia, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Iceland, Japan, Latvia, Lithuania, Netherlands, New Zealand, Norway, Poland, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Sweden, the former Yugoslav Republic of Macedonia, Ukraine.

96. *Draft resolution A/C.3/67/L.39 was adopted by 147 votes to 4, with 28 abstentions.*

97. **Ms. Lau** (Canada) said that her Government supported the Declaration on the Right to Development but was concerned by the notion of a legally binding instrument and felt that the international community should focus on helping individuals fulfil their development potential. Her delegation had therefore voted against the draft resolution.

98. **Ms. Walker** (United Kingdom) said that her Government was committed to the right to development and was a major donor of development assistance. The delegation of Cuba had made various improvements to the text but her delegation's major substantive concern had not been addressed. A lack of development in a particular country was not a pretext for curtailing human rights. Although individual States were responsible for protecting their citizens, no such obligation existed between States. Her Government would continue to engage with the Working Group on the Right to Development, although in its view the Working Group's efforts should not lead to a binding international legal standard. The right to development should evolve consensually, without politicization, and on the basis of respect for civil, political, economic and cultural rights. Her delegation had therefore voted against the draft resolution.

The meeting rose at 1 p.m.